The Courts and the Prevention of Delinquency

ANNUAL REPORTS
and
PROCEEDINGS
of the
TWENTIETH ANNUAL CONFERENCE
of the
National Probation Association

Held in
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TO CONTRIBUTORS

The Board of Directors of the National Probation Association desires to express the sincere thanks of the Association to all those who have aided and supported its work by their contributions of services and money during the past year. The success and growth of the organization are largely due to the public-spirited generosity of its members and contributors.

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"Believe me, it requires no little confidence to promise help to the struggling, counsel to the doubtful, light to the blind, hope to the despondent, refreshment to the weary. These are indeed great things, if they be accomplished; trifles, if they exist but in promise."

PETRARCH

*"When the conduct of men is designed to be influenced, persuasion—kind, unassuming persuasion—should ever be adopted. * * * If you would win a man to your cause, first convince him that you are his sincere friend. * * * Such is man and so must he be understood by those who would lead him, even to his own best interests."*

ABRAHAM LINCOLN

"But gentlemen, gentlemen, dealing with other men like me, begin at the right end . . . . give us kinder laws to bring us back when we're a-going wrong; and don't set Jail, Jail, Jail, afore us everywhere we turn."

DICKENS

"One of the most insistent demands of today is for individualization of criminal justice, for a criminal justice that will not return recidivists through the mill of justice periodically at regular intervals, nor on the other hand divert the youthful, occasional offender into an habitual criminal by treating the crime in his person rather than the criminal."

ROSCOE POUND

"The system of probation, of supervision in social life, must grow as the use of prisons diminishes. The inefficiency of this supervision is as yet the weakest point and needs to be strengthened by sufficient appropriation and by wise administration. If one-tenth of the funds now expended by our states upon the support of penitentiaries, jails and prisons, were intelligently used in providing for the employment, care and supervision of offenders on probation, the effects, as our experience already proves, would be of multiplied value, and by preventing crime would work a vast economy for the state."

HOMER FOLKS

"We shall do something about crime. That hardy annual, the crime-wave, is our opportunity. As we now lead the civilized world in crime, so shall we lead it in the understanding and the wise treatment of crime."

DR. GEORGE W. KIRCHWEY

ANNUAL REPORT

For the Year Ended March 31, 1926

To the Members of the National Probation Association:

The year has been significant in the probation service of the country and in the work of the Association. The 1925 sessions of the Legislature and of Congress provided for marked extensions in probation and social court work. The model probation law for the United States courts enacted by Congress, the Ohio probation law providing for developing probation departments in each county, the new probation law for the New York Court of General Sessions, the largest criminal court in the country for adult felons, the improvement of juvenile court laws in several states and the passage of no laws injurious to the service in spite of some agitation in that direction, marked the year as a banner year, legislatively, for probation. This year, 1926, there have been few legislatures in session and no legislation of importance has been enacted in this field at the time of the writing of this report.

During the year past the country has experienced an extreme "crime wave" agitation in our larger cities due to the increased number and sensational character of holdups and robberies and resulting loss of life and property.

We have canvassed the country for statistics and are prepared to support the statement of Dr. George W. Kirchwey in the *Survey* recently, that the so-called "crime wave" in this country is in reality a robbery wave. The type of crime rather than its totality has changed. Statistics do not indicate a general increase of crime but on the other hand a compensating decrease in felonies other than robbery. Our statistics also clearly indicate a decrease in juvenile delinquency. The increase in misdemeanors and lesser offenses is found to be almost entirely made up of such new crimes as automobile traffic violations and offenses against the prohibition law.

Unprecedented publicity in newspapers and popular magazines, some of it, unfortunately, of a reactionary character, has led to two results: 1. Awakened public interest and discussion

leading to the creation of crime commissions led by the National Crime Commission established in New York last fall. The announced purposes of such commissions are no other than our own, namely, to ascertain the facts of crime, social and individual, and to promote all well considered measures for treatment and prevention. The Association intends to coöperate with these organizations to the limit of its ability.

2. The second result of the "crime wave" agitation has been less fortunate. By promoting an attitude opposed to efforts for the reformation and individual treatment of the offender and urging a return to severity as the only method worth considering for the deterrence of crime, a movement is apparent for curtailing such approved agencies as probation and parole. This resulted in the introduction of bills in the Legislature in New York and Massachusetts to limit both parole and probation which we have opposed.

In spite of reactionary movements, improved probation methods and more adequate administration machinery have advanced slowly but surely in many parts of the country. The number and salaries of probation officers have increased. Our National Directory, published in June, 1925, showed a total of 3,018 paid probation officers in the courts of the country, an increase of 360 in two years. There has been an extension in the method of selecting probation officers through examination and in a number of cities a marked improvement in personnel has taken place. State supervision, especially for juvenile court work, has been developed in a number of states especially in the South.

Field Work of the Association

The field work of the Association has made marked progress during the year, an increased amount of field service having been possible through the employment throughout the year of a competent Field Secretary. Requests for assistance in the making of surveys and in carrying on educational efforts were received during the past year from 24 states. Among these the Association has had to select those which promised best results and the greatest local coöperation. The following have been our principal activities:

THE WISCONSIN SURVEY. At the request of the State Board of Control and the Sociology Department of the University of Wisconsin, the Association undertook a state-wide study of pro-

bation. The American Association of Social Hygiene assisted in defraying expenses. Our Field Secretary, Mr. Hiller, spent three and one-half months covering all the larger counties of the state. He had the full time assistance throughout this period of four graduate students of the University. As a result a complete picture of this work was secured and a detailed report thereon was published by the Association and distributed throughout the state. Local interest and organization have been effected to take up actively the recommendations to meet the many needs of the service. Some of these will require legislation. The Association is planning follow-up work to secure the desired results.

OHIO. Following the passage of the state-wide Adult Probation Law last year, in the drafting and securing of which we assisted, the Field Secretary spent some weeks in visiting the Ohio counties to acquaint the judges and others with the legislation. More recently we have coöperated actively with a Probation Committee appointed by the Department of Public Welfare and in addition to supplying information, have made plans for active field work in the state during the coming year.

THE PENNSYLVANIA SURVEY. The Association employed Mr. Leon Stern for three months to make an intensive survey of probation needs throughout Pennsylvania. The inside facts regarding the status and needs of the work in each county were obtained. The work was continued with the assistance of the Pennsylvania Committee on Penal Affairs so that every county in the state was covered. The report of this work has not yet been published.

MICHIGAN. Following an address by the General Secretary at the Michigan State Conference of Social Work, a resolution was passed by the Conference asking the Association to make a state-wide survey of the probation needs in Michigan. A local committee was appointed by the Conference to coöperate with the Association in this work. After several meetings with the Committee, a study was begun in March, 1926, and is now in progress. The larger counties of the state will be visited and active efforts made to improve the probation organization in each. Efforts will be made to secure state-wide organization and supervision of the service.

In addition to these major efforts, representatives of the Association have addressed meetings in Boston, Providence, New York City, Pittsburgh; in several cities in Ohio, Michigan

and Wisconsin; at the state Conference of Social Work in Florida and elsewhere. The General Secretary assisted in a two-day institute for judges and probation officers arranged by the State Department of Public Welfare at the University of Virginia, Charlottesville. The Field Secretary visited Middlesboro, Ky., for the purpose of developing a juvenile court there. Courts were also visited and judges, probation officers and others conferred with in other cities.

Federal Probation Law

Following the signing of the bill sponsored by the Association in March, 1925, we have held many conferences with representatives of the Department of Justice in Washington, assisting in formulating a letter of suggestions sent out by the Department to all judges; several of the courts have been visited and judges conferred with. We have urged the probation officers in many cities to temporarily assist in providing probation service until the Federal courts can employ salaried probation officers. We have aided the Department of Justice in securing an appropriation for the salaries of Federal probation officers. The item requested has been largely reduced, only $50,000 having been secured for this work during the coming year; we are urging that this be used in such a way that it may demonstrate in a few courts the advantages of its extension by the next Congress. We expect to continue active coöperation with the Department of Justice and the courts to develop the service.

Work of the Committees

Standard Juvenile Court Law. The draft for this model act on which our representative committee worked for two years was submitted for final approval to the Association at the last Annual Meeting in June. A brief to accompany the bill was prepared in our office and with the final approval of the Committee, the Act was published and is now available. Many requests have been received for it, and it is hoped that it will be effective in developing more uniform and advanced juvenile court laws in many parts of the country.

Records and Statistics. The Committee, consisting of probation officers and experts in social statistics, has had a number of meetings in New York. Following the completion of model juvenile probation case blanks, it has prepared a set of adult

probation blanks about to be submitted to the members of the Association. The Juvenile Court Blanks prepared last year, have been republished to meet a continued demand. With a set of instructions for their use, they have been sent out to several hundred probation offices throughout the country upon request. In addition, 15 probation officers have ordered larger supplies and in most instances their courts have adopted the blanks and will now use them exclusively for their case records. The blanks, samples of which are furnished free and larger quantities at cost, have been generally commended and are of especial value to new probation officers.

The Committee has coöperated with the Federal Children's Bureau in devising a system for the collection of juvenile court statistics throughout the country. It held a two-day session recently in New York with representatives of the Children's Bureau for a discussion of the tables and forms.

Other committees of the Association with whom we have coöperated throughout the year and who have been studying their respective subjects are: The Committee on State and Local Associations, the Committee on the Treatment of Runaway Children, and the Committee on Domestic Relations Courts.

Advisory Committee. The Board of Directors last year provided for the appointment of an Advisory Committee of 34 members consisting of distinguished men and women in sympathy with the aims of the work. Among the more notable who have accepted membership on the Committee—to mention only a few, are Charles E. Hughes, Dr. Charles W. Eliot, George W. Wickersham, Henry W. Taft and others almost equally well known. The advice and support of the members of the committee have been of great value. A luncheon meeting for the committee was arranged last October and was well attended.

Conferences and Meetings

The Nineteenth Annual Conference at Denver, while somewhat smaller than the preceding conferences, due to its location, was however unusually worthwhile. Many judges and probation officers who had never previously attended a probation conference were in attendance from the western states. A majority of the states was represented. The Annual Probation Conference has been a growing factor in promoting the intelligent education and coöperation of the probation workers of the country.

The Association sponsored meetings in connection with the American Prison Association Conference at Jackson, Miss., last October.

Representatives of the Association appeared and spoke at many state and national meetings.

Publications

During the yast year, the Association published the Annual Proceedings, a volume of 267 pages, of which 3,000 copies were distributed. There has been a large demand each year for the book from the courts, libraries both public and private, from students and many others who wish to learn of progressive developments in the probation field. It is used as a text book in colleges and institutions throughout the country, as containing the latest information on probation development. The Proceedings is sent free to members and contributors who request it and many copies are sold to libraries, organizations and individuals.

The Probation Bulletin has been published regularly every other month, containing news of the Association's work and developments in the courts throughout the country. The Bulletin is sent free to members and subscribers at a nominal cost. We have endeavored to make it of increasing value to our members.

The National Directory of Probation Officers: The fifth edition of the Directory was published in June, 1925. Many improvements were made in the arrangement and content, and the Directory is more complete than former issues. The Directory is found to be absolutely indispensable in the daily work of probation officers as they must frequently correspond with probation officers in other localities to secure information and assistance.

In addition to the above, we have published the following reprints and pamphlets:

Probation in Wisconsin. By Francis H. Hiller; a report of a survey by the National Probation Association, assisted by the American Social Hygiene Association, University of Wisconsin and State Board of Control of Wisconsin.

A Bibliography on Probation, Juvenile and Domestic Relations Courts, Crime, Psychiatric Treatment and Related Subjects.

Standard Juvenile Court Law. Prepared by the Committee on

Standard Juvenile Court Laws of the National Probation Association.

The Immigrant as a Factor in Social Case Work in the Courts. Joseph P. Murphy.

Application of the New Federal Probation Law. Charles L. Chute.

The Juvenile Court of the Future and *The Trial of Criminal Cases and Adult Probation in the Chancery Court.* By Judge Ben. B. Lindsey.

Psychology and Probation. Dr. Charles Platt.

The Psychology of Probation from the Standpoint of the Probation Officer. Hans Weiss.

The Court Psychologist. Ethel F. Goldsmith.

Does Punishment Pay? Reprint from the *Survey* of March 1, 1926, by Dr. Charles Platt.

A Triangle but Different. Ralph Ferris.

Twinsie. A True Story Recounted in Part by Justice Franklin Chase Hoyt.

Little Travelers. Leaflet by Kathleen Norris.

"If." Leaflet describing the four phases of probation (Federal, Domestic Relations, Juvenile, and Adult), containing illustrative cases of each phase.

A Platform. Leaflet on the work of the Association.

Other leaflets, circulars, etc.

The Bibliography, prepared last year, is said to be the most complete of its kind yet issued. The Association not only supplies its own pamphlets and other publications upon request, but acts as agent for all publishers in supplying to probation officers and others books which they desire. In several instances courts have developed libraries with our aid.

Employment Bureau

During the year the Association has established a system for vocational advice and placement, particularly for probation officers. We receive numerous requests from students and others desiring to enter probation service and from others in the service who wish to change their locations. By announcing the establishment of this Bureau and offering to assist judges and others in securing suitable candidates, an increasing number of requests from the judges for recommendations to fill positions

have come in. In particular, we have had a number of very important positions requiring the best experience and ability. Unskilled and inexperienced candidates have been in the majority. It has been difficult in the past to assist either candidates or employers with the promptness desirable. Hence we have established a system of registration and all candidates are requested to fill out experience blanks. During the year we have registered 56 candidates and have had applications for recommendations to 11 positions and have referred candidates to all of them. We have succeeded in placing 2 probation officers, with others pending. As no other employment agency covers this need, we hope to develop this service in such a way as to improve the personnel of probation work throughout the country.

Board of Directors

Three meetings of the Board of Directors and two meetings of the Executive Committee of the Association were held during the year. At the Annual Meeting of the Association in Denver in June, 1925, the following new members were added to the Board: Dr. John H. Finley, James H. Post, Theodore Roosevelt, Tracy W. McGregor, William C. Redfield, Percy S. Straus, and Mrs. W. L. Murdock. By vote of the Association the membership of the Board was increased from 20 to 28. Judge Franklin Chase Hoyt was reëlected chairman.

Staff Changes

During the year the Staff of the Association has been increased by the addition of a Publicity Secretary and a stenographer, making eight persons at present, in addition to temporary clerical assistance.

Membership and Means of Support

The Association is largely supported by membership dues and comparatively small contributions from interested persons all over the country. We have made extensive use of the written appeal and have developed the sending out of local letters signed by a prominent supporter of the Association, frequently judges. Letters of this kind have been successful in bringing in memberships and support in the cities of Detroit, Rochester, Chicago, and Boston.

The active paid membership of the Association at the close of the year was 4,609. One year before it was 4,264. Of the

members at the close of the year, 2,725 were old members who renewed their dues and 1,884 were new members who joined during the year. We have members at the present time from every state in the Union, many members in Canada, several each in the Philippine Islands, Porto Rico, and Hawaii; and in each of the following foreign countries: England, Scotland, France, Holland, Sweden, Norway, Spain, Czechoslovakia, China, Japan, New Zealand, Australia, Ceylon, South Africa, and Cuba.

The membership of the Association is divided as follows: Active members ($2–5), 1,683; contributing members ($5–10), 1,541; supporting members ($10–25), 1,057; sustaining members ($25–100), 277; patrons ($100 and over), 51. In addition 398 contributed less than $2.00.

We acknowledge the receipt of the fifth and final installment of $1,000 from a grant of the Milbank Memorial Fund. This is not to be renewed. From the Hartley Corporation, through Mrs. Helen Hartley Jenkins, we received $1,200.

For the development of our Field Service Department next year the Commonwealth Fund of New York has granted an appropriation of $15,000, which will be of great assistance in this Department. For the general work there is great need for a larger and more stable support.

General Work

The office of the Association has served increasingly as a clearing house for information on probation and social court work, both through correspondence received from all over the country and from many foreign countries and through frequent visitors. We have sent literature, drafts of bills, and answered numerous and diverse inquiries.

One of the greatest needs for development in the work of the Association is in the field of research. Efforts have been made to obtain statistical and other information from the courts of the country, but this has not been organized.

We have secured during the year copies of the legislation of every state in the Union, affecting probation and juvenile and domestic relations courts. The legislation is now being analyzed preparatory to publishing a synopsis. We have devoted considerable attention to publicity, sending out a series of newspaper releases and special articles. This work, however, has not been organized and fully developed.

Future Program

For the coming year, we hope to carry on the work of the Association along the following lines:

1. To develop an adequate Field Service Department with three field agents, endeavoring to measure up to the opportunities and requests for local and state studies of methods and results, looking toward definite extension and improvement of standards. The Appropriation of the Commonwealth Fund for this particular service will enable us to extend the work into other localities, for example, some of the southern and western states, where the needs are very great and where but little local assistance, financially, can be given. Through this work in the field, we should acquire valuable information as to the workings of probation and needs of the service everywhere, leading to definite advances.

2. To further assist in developing state and local associations and volunteer committees on probation, realizing that without citizen aid and backing local probation cannot go ahead.

3. To seek the further extension of official state supervisory departments or bureaus in certain states and to coöperate with those already in existence, looking toward the development of state-wide systems of probation.

4. In coöperation with the United States Department of Justice in work for the establishment of a paid probation service in all United States District Courts. For the coming year our effort will be to demonstrate the possibilities of paid probation work in a few courts.

5. To complete a study of probation laws and to publish a summary of the probation and social court laws of the United States and foreign countries.

6. To continue the study of probation records and statistics, to publish additional blanks, and to work for the development of some uniformity in this important phase of probation work.

7. To coöperate more fully with schools of social work, colleges, state institutes, and other organizations in providing courses of training for probation officers, both prospective and those on the job.

8. To develop research work and to secure more complete information regarding the extension, methods, and results of the use of probation throughout the country, and to publish the results thereof.

9. To develop the Employment Bureau and to take other steps

looking toward raising the standards of personnel and method of selection of probation officers.

10. To coöperate with other movements looking toward the extension of medical and clinical service to all courts.

11. To continue, through conferences, the publication and distribution of literature, the use of publicity, and correspondence to promote the education and coöperation of those engaged in the probation service, and to bring information to the public regarding the methods and needs of well organized work in this field.

For the Board of Directors,

CHARLES L. CHUTE, *General Secretary.*

April 24, 1926.

TREASURER'S REPORT

After an examination of the books of the Association for the last fiscal year, the auditor has submitted the following statement:

NATIONAL PROBATION ASSOCIATION, INC.

Statement of Cash Receipts and Disbursements for the Year Ended March 31, 1926

BALANCE, April 1, 1925		$3,533.16
RECEIPTS		
Dues and contributions	$37,075.77	
The Hartley Corporation donation	1,200.00	
Milbank Memorial Fund donation	1,000.00	
Refund of field service expenses	1,666.53	
Publications	921.86	
Interest on bank balances	189.36	
Profit on resale of books	29.45	
Miscellaneous	77.09	
Total receipts		42,160.06
Total		$45,693.22
DISBURSEMENTS (*as apportioned among projects by the Association*)		
Field investigations	$6,401.21	
Research	1,852.45	
Information and advice	3,812.08	
Educational campaigns	9,389.18	
Legislative campaigns	903.71	
Conferences	1,102.95	
Printing and distribution of reports, annual proceedings, and other publications	2,356.33	
Membership and financial campaigns	10,150.58	
Employment service	572.24	
Office expenses	5,908.42	
Total disbursements		42,449.15
BALANCE, March 31, 1926		$3,244.07

CERTIFICATE OF AUDIT

We have audited the records of cash receipts and disbursements of the National Probation Association, Inc., for the year ended March 31, 1926, and

We Hereby Certify that the foregoing statement is correct.

(Signed) HASKINS & SELLS.

New York, April 19, 1926.

GEORGE GORDON BATTLE, *Treasurer.*

FOREWORD TO THE PROCEEDINGS

THE papers, reports and discussions which follow are commended to the careful attention not only of those engaged in the field of social court work, including judges, probation officers and social workers, but also of that large and growing section of the general public which is more and more coming to appreciate the importance of social measures in the just and preventive treatment of delinquency and family maladjustment. It is in fact "the last word" in the varied but related problems of juvenile courts, domestic relations and family courts, detention homes, adult probation and prevention of crime.

These writers speak with the authority of intimate contact with the facts on subjects of paramount importance to-day. Without attempting to select any of the articles for special mention, for all are important, we hereby express, on behalf of the National Probation Association and of all concerned, whether professionally or as citizens, in the building of more just and more effective agencies for the prevention and treatment of the delinquent, our grateful thanks and appreciation for contributing to this symposium.

CHARLES L. CHUTE, *General Secretary.*

December 15, 1926.

HUMAN VALUES

HON. WILLIAM R. HOPKINS, *City Manager, Cleveland, Ohio*

The task of adjusting and solving the problems arising in maladjusted human lives is perhaps one of the most important and most difficult with which we are faced to-day. One of the encouraging features of the work however, is this: very often the difficulties which bring young people into our courts are due to some exceptional quality which can be made the basis of exceptional success in life and which carries with it exceptional possibilities of value and service to the community.

It seems to me we are altogether too much tempted to regard human conduct and human happiness as a matter of organization. We have too long preached and believed that society could make people better. We have even talked about social justice. But ultimately nobody made anybody better but himself. Character in the last analysis is a personal thing and, certainly, accomplishment is a personal thing. It is not until the individual gets clearly in his mind some standard to which he thinks it worth while to conform; it is not until he sees before him some object worthy of accomplishment, that there is any assurance of character or accomplishment, as far as that individual is concerned.

We are not on the high road toward effecting anything real for any individual until we have quickened within that individual conceptions of life, of conduct and of obligation that are worth fighting for; until we have stimulated in him a positive conviction that there are things that are really worth while.

This task would be comparatively easy if all we had to do was to have a great organization, proper building and equipment, and good appropriations, for no good cause long appeals in vain for whatever society can do for it. The tragedy of the situation is that when society has done all it can do in the matter it still remains for individuals to put reality into the task and by the sheer persistence of effort combined with intelligence and the passion for service, to keep after these individuals who haven't been able to adjust themselves, but yet who have

within themselves possibilities and capacities worthy of any effort to bring them at last into right relations with themselves, from which right relations to society must follow.

I may be preaching something that is all wrong and contrary to all recognized theories, but I have seen enough of life and of all sorts of people to know that there are no conditions, no misfortunes, no disadvantages which can repress the development of any human spirit, once that spirit has been quickened by a sense of the glory and the possibility of life in any place.

I am glad that there are those who are devoted to this great task of helping individuals to know themselves and their possibilities. I am sure that the task itself will bring, not only its own direction, but the great compensation to which all those are entitled who follow it. The old saying is—"They that turn many to righteousness shall shine as the stars forever and ever."

THE CRIME WAVE AND PROBATION

CHARLES PLATT, PH.D., M.D., *Philadelphia*

Here is a matter that concerns us closely—not only because we are engaged in the study of crime, but because the now alarmed public is proposing to meet the existing situation by a reversion to old methods. It is demanding that we shall abandon all that has been so laboriously gathered of social wisdom in the handling of criminals. It is proposing now to return to methods which, we believe, can only do harm.

I shall not try to demonstrate whether a crime wave actually exists or not. This is a statistical matter and one quite beyond me. And I may add that it is at present beyond every one else. The evidence before us today is contradictory. Dr. Frederick L. Hoffman—and Dr. Hoffman's figures are, I believe, largely responsible for the present crime fear—is sure that the United States is tumbling headlong into criminality. On the other hand, many of those who are actually in contact with our courts and our prisons, including some of the heads of our state departments of welfare and correction, are equally sure that crime has not increased at all—any more than would be accounted for by our growth in population. Dr. Hoffman may be right, or the others may be right. I do not know. Crime records have not been kept in such a way as to permit of useful comparison either of one place with another, or of one time with another. There is, even

now, no agreement as to what crime is, and certainly no agreement as to the nomenclature of its classification.

So, I say, I do not know whether there is a crime wave or not. But I have the notion that the ready acceptance of the idea may be at least in part from a failure to recognize the potency of the multiplication table. One forgets our huge populations and is appalled by the figures they present. Suppose, for example, that you tell a small town man that New York City has some 74,000 deaths each year, over 200 a day. He will probably stay away from New York. He will visualize it as a very unhealthy place, with hearses rushing here and there in an effort to dispose of the dead. And yet, New York may of course be healthier than his own small town. Even percentages are sometimes misleading. Of the people who came over on the Mayflower, about one per cent was hanged for murder—a percentage that has never been equalled since. However, all this being so, whether we have a crime wave or not, there is still this fact to be considered: namely, that crime in the United States does seem to be in excess of that in any other country. Here is something real for us to ponder.

We of the United States have of course always gone in for quantity production. We always do things on a large scale and generally we are proud of it. We are indeed proud of it sometimes when we should not be. And I cannot help wondering whether this customary pride may not have something to do with our long indifference to crime. When you tell a man that London can show only a handful of murders as against several hundred in New York or Chicago, foolish as it may be, that man may experience a slight glow of pleasure. It is his habitual reaction to large figures. He knows that he ought to be ashamed, but he really is not; he is just a little bit proud. It would truly seem that until fear was aroused, crime in the United States did not excite any special interest. Is it not possible, then, that our crime wave is, after all, but a sudden *realization* of crime?

But still, how are we to account for the excess in this country? It cannot be entirely the result of a public approbation.

There are three explanations commonly offered; the first two by "patriots", the third by our "practical men". First, we are told that of course we have crime, we admit so many foreigners. The Italians, for instance, are often held responsible

for our murders—for are not all Italians just naturally assassins? And yet, in Italy, the homicide rate is just half that in the United States. Personally, then, I do not see how the admittance of these people and others, so much less competent in crime than ourselves, could automatically raise our own rate. The fact is, moreover, that while foreign names do appear largely upon our crime lists, it is not the immigrant himself who so appears, it is his children; and the crime they contribute would seem then to be not so much an imported something as a something acquired here.

And the second explanation is but little better than the first. It is said that owing to our admixture of peoples there is a conflict of customs and ideals, and that this makes for crime. That sounds reasonable—but consider a moment. In spite of the belief to the contrary, many foreign cities have quite as mixed a population as have ours, and yet their crime is less. And then, too, there is the fact that many of our southern cities, with their nearly 100 per cent American population, exceed in crime some of our northern manufacturing centers with their large alien additions.

The third explanation is that of the "practical man". The practical man says that we have crime because we have so many reformers and sentimentalists that the administration of the law has gone to pieces, that if we would but restore the good old fashioned methods then crime would soon disappear. I rather doubt this myself. In the first place, reform is new and the crime situation is old. How can a cause follow its effect? Furthermore, this reform that is so deplored is as yet little more than a theory; it has been actually practised in but a few communities and not at all in most. How then can it have any influence on the general situation? It seems hardly just, for instance, to blame Thomas Mott Osborn and his Mutual Welfare League in Sing Sing, even if you do not like him and do not agree with him, for conditions in Texas or Alabama. And then there is this other objection to the "practical man" idea, that when the severer methods of punishment were actually used, then crime was especially prevalent. A New York judge has recently denied the value of this historical argument. He claims that had there been less punishment in the old days then there would have been even more crime than there was. I do not know how he knows this. But here are the historical facts. Punishment, possible under the

influence of the Church, gradually increased in severity throughout the Middle Ages, becoming more and more cruel, and, with this increase in punishment, crime itself increased. Then gradually there came a change. Personal rights came to the fore, some sense of justice entered the courts, punishment again began to grow less; and, at the same time, crime began to grow less. It may be a coincidence, this parallel rise and fall. But is it not at least possible that there is a connection between the two? May it not be that the law's brutality in those old days itself only served to brutalize the community, making all more indifferent to wrong-doing?

As it would seem to me, not one of these three familiar explanations of our crime is other than just a superficial and prejudiced guess. And yet, we still have our crime to account for.

Let us see if we can get at something more fundamental, at something more reasoned, at something not just an opinion. Let us, in the first place, inquire what crime is. For it is just as well to know what a thing really is before we seek to account for its existence.

Crime, we know, is as old as society. It is, I take it, but an expression of an unyielding ego, the expression of an individualism that refuses to, or cannot, adjust itself socially, that refuses to, or cannot, accept rule or guidance. It is the result of a separation from the group, the determination of an individual to live his own life in his own way, regardless of others, regardless of laws. That is crime. It is not easy to be social. We come into being with a very strong egoism and we do not become social until we have learned to overcome this. When we have come into an environment that is in itself antisocial, an environment which can supply us only with antisocial models, then the chance of our making a good social adjustment must necessarily be small.

Now let us bear these general principles in mind, and then let us think of the United States. In what way does our country differ from other countries? What influences are there here that may tend possibly to develop this rebellious egoism of ours, this egoism which we find may lead us into crime?

Well, first of all, we have a democracy, a form of government founded upon the rather remarkable claim that all men are equal. This fact in itself invites self-assertion and independence of behavior, and our schools, too, are carefully fostering

these individual trends. And yet, what society needs, what it is founded upon, remember, is *inter*dependence; it is the sense of mutual responsibility, of interlocking obligations that alone make an orderly society possible. There would seem, then, to be a difficulty right here at the start. But think too of some of our other characteristics. Think of our superficial education and of the resulting movement away from healthy manual labor. Think of our inordinate devotion to pleasure and amusement, of the nervous way we carry everything to excess. Think of our shortened hours of work and of the new leisure gained thereby, a leisure which we have not yet learned to employ safely. Think of our many false values, of the emphasis that is placed upon gain, upon the getting of money. Think of the magazines and newspapers that pander to these false values. Think of the sordidness and dishonesty of much of our politics, of the rewards and honors that often are given to unprincipled leaders. Think of the prevalence of bribery and graft.

And then think of what may be the most important influence of all, the key to most of the others just mentioned—think of the breaking down of the old religious inhibitions, of the taking away of the fear of eternal punishment. Our youths are not theologians, they do not read, but, still, rumors reach them. It is now a matter of welcome common knowledge that science has done away with Hell. It is a pleasant idea, this. With a padlocked Hell one gains considerably in daring. We used to have God *and* the police to deal with—now we have just the police.

What is the likely effect of attitudes such as these? Well, we see it all about us. We have criminals, yes! We have more than we put in our statistics of crime. The truth is, we are not a law-abiding people. We do not all get locked up, but if there is any good in the prison idea then we ought to be. Crime with us has become a sporting proposition. Our newspapers treat it as such; there is a real admiration for the bigger and better criminal.

So here we are as a people developing all those tendencies that make for individualization and personal privilege—and for crime. We are all seeking advantage, and the one whom we label criminal differs from the rest of us chiefly in the details of his method. Is my picture doubted? Is it doubted, for instance, that crime with us has become a national sport? Well, just

notice the change that we see in our prisoners. No longer do we have beetle-browed, hardened thugs to deal with, we have now clear-cut, up-standing youths who have gone into crime for the adventure of it, and for the easy money. And they have been invited to go into it, I claim, by the existence around them of an unsocial, undisciplined public, a public, each member of which is striving for his or her gain.

It is not a pretty picture, is it? It would not do for a Fourth of July oration. But it is serious, and its change calls for that most difficult of all reforms, that slowest of reforms, a change in the public attitude, a reawakening of its social conscience. There is needed a revision of our school methods, a teaching of the social obligation, a giving of a new standard of values. The press and the pulpit and the school have all to be socialized.

But let us come down to something more within our immediate reach. As one of the greatest sources of crime in this country, I would place the law. We have gone legislatively mad. We have made laws to cover all the necessities of social life, and then, having exhausted this field, we have passed on into that of personal ethics and decorum, and even, in our laws against evolution, into the field of scientific knowledge and opinion. What is the result? From the ignoring of stupid and unreasonable laws, we have now passed to the ignoring of laws that are uncomfortable. The dignity of the law has disappeared, but, at the same time, in a futile effort to recover this, we are filling our prisons with men and boys who are not at all of criminal nature, when we put them in, with men and boys who are in their own crude way merely following the general tendencies of the day, but who, having once been given a prison experience, will now likely become and remain criminals.

And then there is the administration of the law—by methods born in the Middle Ages, now clumsily inadequate for our modern cities. But aside from this, politics and all that the name now unfortunately connotes has entered many of our courts, entered especially into the office of the district attorney. The arrest, trial, conviction, the enforcement of the penalty, are now only too often to be decided politically. And think of the police. Think of the influence of our multitudinous new laws upon the police service. Our police departments, allowing for the increase in population, are now generally smaller than they were twenty years ago, and yet think of the new duties that have been placed upon them. The traffic alone would now keep them all busy.

Then there is, too, the fact that many of our new laws are no more acceptable to the police than they are to the general public. No wonder that the police do not always make arrests. No wonder that they sometimes sympathize with the law-breaker and sometimes even become his partner.

Finally, there is the prison. Instead of putting our prisoners in the charge of a competent prison personnel, a personnel that might obtain a decent and reasonable control, we put them, only too often, in charge of men who feel nothing of the responsibility of their work, who know nothing of its requirements, and who care less. We put them in the charge of men who often further brutalize and embitter them by a cowardly abuse of their opportunity.

Now as to the bearing of all this on our work. As I see it, there is suggested here, first of all, the need for increased study. There are two words without which no paper on social work is complete—I will put them together here in one sentence. Let us say that in this present, now recognized, situation, there is a *challenge* for more *intensive* service. We have now to recognize the complexity and magnitude of the criminal problem. We must not let ourselves get into that complacent state where solution will seem easy, where we shall foolishly seek to solve the difficulties before us by just the application of formulas—not even when the formula is so attractive as is that of probation. Let me put it this way. Let me say that what we need is a scientific attitude. And what do I mean by that? The mind of the uneducated man, says Prof. Ernest G. Merritt of Cornell, has just two pigeon holes, one labeled "absolute truth" and the other "absolute falsehood". Every idea that comes to such a man is promptly placed in one or the other of these two compartments. Such a man has no doubts, he is always sure. But the man of science, on the other hand, has a whole series of mental pigeon holes. That at one end is indeed labeled "absolute truth" and that at the other, "absolute falsehood", but the point is that with him these compartments are always empty. His ideas are all in the intermediate compartments. They get reassorted, and they move from time to time toward the two ends but these ends they never quite reach. They never attain to the dignity of being counted as either absolutely true or absolutely false; it is recognized that there must always be a qualification. Now this is the scientific attitude, and this, I say, is what we need in

our work. It is much needed today in the whole social field. Let us clean out anything that we may have inadvertently placed in our truth and error pigeon holes and then let us reëxamine it carefully. If we will but do this earnestly then we shall be in a position to render probation and society a greater service.

The probation officer must want to learn. If he conceives of himself only as a teacher and guide, he will fail. The success of the probation movement depends upon the confidence and support of the public. To gain the confidence and support of the public the probation officer must take himself out of the group of professional reformers, that most unteachable group in the world; he must show that he is willing to work *with* the public, that he appreciates the public's own ideas. It is as in his relations with his charges; these too must be worked *with*. Coöperation is needed for success, but if we work only *for* people then we do not get their coöperation. Neither the public nor the probationer likes to be forcibly uplifted.

The probation idea is now accepted by all thinking people. Prison, it is now recognized, is but a last resort, an acknowledgment of failure. Its influence is too harmful, too antisocial, to justify the subjecting of anyone to it thoughtlessly. It is beginning to be recognized that we must raise our standards of admission to the prison, that we should demand of each applicant some real aptitude for crime. We would not, of course, exclude all; some have the right to be received. We would admit, indeed, not only some, but many. I should make a guess that justice would compel us to admit about two-thirds as many as we now do.

But it is in the other third that we as probation officers are especially interested. We know that the prison experience merely confirms men in crime, and that given to a boy it may make of the boy a criminal when otherwise he would have become a useful citizen. We know that the principle of probation is correct. We know that properly applied it will reduce crime. We know that it saves the State much money, that it educates and prepares for society. We know these things, but what we have to do as individuals and as an association is to see that the principle is properly applied. We have to see to it that probation does not degenerate into a mere formula and thus take its place with so many other discredited and discarded attempts at social betterment.

Let us see to it that we do not ask too much of probation. There is a tendency always following the discovery of any new curative agency to overestimate its applicability. The practice of medicine, for example, has gone through fad after fad. Whole schools of practice have been based upon single ideas, perfectly good in truth when applied to selected cases, but harmful when applied too universally. There is a moral here for us. When too much is claimed for any method of cure, and when through false and two wide application it begins to produce failures, then this method is only too apt to fall under an equally mistaken general condemnation. Do not let this happen to probation.

Probation we must recognize as a serious responsibility. It calls for the highest intelligence if it is to be made to function usefully. It is capable of doing great harm if allowed to become but a part of the State's political machinery. And the probation officer must bear this in mind. He must recognize his own share in this responsibility. What shall guide him? His task is not easy. All things are demanded of the probation officer, even that he shall manage to live on an entirely inadequate salary. Probation is a noble profession, but it must be acknowledged that it is a very poor business. I remember the requirements for a social worker, set down in the *Survey* about a year ago. "All we ask of her is perfection . . . all she needs is the wisdom of the serpent, the gentleness of the sucking dove, the skin of a rhinoceros, and the constitution of an ox." Well, a probation officer is a social worker and these requirements will do for him too. In professions like this, part of the pay, a large part of it, must come from the satisfaction of doing one's job well and usefully. If one does one's job in a way that cannot yield satisfaction, then I would say that there was practically no pay at all.

But here is a suggestion that may be helpful as a guide. Let the probation officer always bear in mind that he is not only a social worker, but that he is also an officer of the Court and the State, and that he is to work for the Court and the State—not primarily for the prisoner. He need not worry, he will still help the prisoner, he will still get the joy of doing good to the unfortunate. For the great social discovery of these days, the best result of all our investigations of the criminal problem, is just this: the interest of the prisoner and the interest of the State are, in fact, identical; the best service to the one is also the

best service to the other. The best, the happiest, place for a friendless person of feeble mind is in an institution—and it is best for the State that he should be in one. So, the best for certain of our criminals, as well as for the State, is that they too should be separated from the rest of society. But then again, on the other hand, it is best both for society and for themselves that many of our offenders should be released under guidance—the State thereby saving to itself many useful citizens who would otherwise do it only harm.

And so to end. Here we have a most complex problem, a most difficult problem, the problem of adjusting non-social individuals to the needs of social life. Crime, we have discovered, is but a declaration of independence. Here is a problem calling for our best thought. It is not to be solved by prejudice, neither by the prejudice of those who seek only revenge upon the wrongdoer, nor by the prejudice of those who think only of forgiving him.

But the crime wave bogey, with all the superficial nonsense it has called forth, is still a good thing. The public fear has at last aroused interest, and from this ultimately there may come great good. Do not let us get excited at the reactionary tendencies of the present—at least, do not let us get so excited that we shall ourselves become narrow and unreasonable. Let us use our special knowledge in a way that shall command a public commendation. Then the probation idea will grow. Then the crime wave will subside. Then the state of society will grow better.

THE COMMUNITY'S ATTITUDE TOWARD DELINQUENCY

SHERMAN C. KINGSLEY, *Director, Welfare Federation, Philadelphia, Pa.*

Not many years ago, as many may remember, delinquents, even the very young children, were haled into court and asked to plead guilty or not guilty to formal indictments, difficult to understand because of the "saids", "whereases" and "now therefores". If guilty, certain prescribed penalties, supposed to fit the offense, were meted out; if not guilty, the accused was dismissed. A protecting or a restraining influence on those who

seemed to need attention could be expressed only in two ways. One was the almshouse, the other the jail. In the almshouse were gathered those who were not able to get along in the world on their own steam—the poverty-stricken, the thriftless, the feeble-minded, epileptics, the mildly insane,—men, women and children. Into the jail went those who became a menace to person or property. The process of unscrambling the almshouse population has been on for a long time. The juvenile court and the special courts with their probation officers and medical service are a part of the method through which the formalized court procedure is being at least partially unscrambled.

The first step in this direction was taken when the courts began to realize that physical conditions and handicaps bear closely on child delinquencies and difficulties; that environment, associations, mental attitudes and emotional natures must be taken into consideration; that to deal with delinquents is more than a merely custodial and mandatory kind of job. The equipment of an up-to-date juvenile court office with a staff of kindly and skilled physicians, psychologists, psychiatrists and probation officers—people who know how to coördinate the child with the varied and helpful resources in a community—is an indication of the larger and truer understanding with which the adult world today faces its responsibility of dealing with child problems. We are no longer bowing down and worshipping our past procedures, our handed-down adult customs, but are undertaking to act on thorough understanding in each individual case. The *child,* not the *law,* has become the first consideration, thanks to the work of a long line of eminent judges,—Mack, Pinckney, Lindsey, Hoffman and many others. They are being splendidly assisted in this work by their assistants, the probation officers, and through the modern community resources.

Not long ago, for example, a boy was brought to the attention of the Child Guidance Clinic in Philadelphia with some 125 delinquencies—most of them stealing. When anything went wrong in his community it was quite the habit to lay it to this lad. Nearly everybody, including his own family, was more or less down on him. The way the people in the Clinic won the confidence of this youngster, studied the family, the Chief of Police, the schools, the Boy Scouts, and many other individuals and agencies in the community was quite thrilling. People of course turned to their pet formulas:—we have laws; let him be punished. One thought the boy should be sent to the reform

school, another that he should be sent away from his community so that the community could forget him and he could forget the community. Nothing of the sort was done. He was reinstated with the Boy Scouts, understanding was effected with the teacher, even the Chief of Police became the boy's friend. Instead of plucking him up by the roots and landing him somewhere else, careful study and needed adjustments solved a seemingly hopeless problem.

How finely-calibred, thoroughly trained should be those who do that important work of assisting judges in the solving of the human problems with which they are daily faced! I sometimes feel that our friends in the hospital and health field have an advantage over the probation officer and those who, in the poverty of our language, we call "case workers". When one goes into a hospital and is shown through the laboratories and operating rooms one cannot fail to be impressed with the instruments and appliances which science and invention have in the past few years added as aids to medical men. The microscope, stethoscope, and fluoroscope—there seems no end to the "scopes" at the doctors' hands—these are all very objective and their uses easily explained and understood. Whereas the social worker who undertakes to deal with people who cannot adjust themselves in life, who do not understand their own families, nor are understood by them, who are out of jobs, bewildered, who are emotionally disturbed, with unbalanced nerves, who need something besides a loaf of bread or a ton of coal, or the setting of a broken bone—the social worker has for his tools only his own personality, character and training plus such help as can be derived from the community. Far less tangible are his ways than those of the physician or the hospital, and for that reason the more difficult for the taxpayer and the contributing public to understand. Especially is this true when nervous and mental difficulties are involved or those subtle and insidious troubles which are a part of environment and misunderstanding.

The personnel needed in this work of solving human and intangible problems must be of the best. Obviously those who have merely been good doorbell ringers or satisfactory all-around workers for some political boss are not fitted for such work. The personnel should be most carefully chosen with regard solely to such matters as educational background, training, experience, personal qualities, and fitness for this particular kind of work.

But perhaps the biggest job in dealing with children is to get adults into such a habit of life that our trusting, idealistic childhood will not have to have so many disillusionments. Suppose they didn't have to find out so many things about grown-ups! Anyone who follows the march of children's feet to the judge's desk and hears the stories that are poured into the friendly ears of these magistrates gets a new idea of whether things are as they should be and what proportion of children's problems can be laid at the door of adults. If the stories one hears there could be accredited to the dark ages one might understand, but to realize that they are happening today and yesterday in our very midst often seems incredible.

It is up to the men and women of today, perhaps especially up to the women, to follow this trail and to see to it that we build around these judges and probation officers who are coping with such very real problems, the kind of influence and support that will help them give our delinquent boys and girls the study, consideration and guidance they ought to have. I know of no better thing that men and women can do than to see that their community has such social orchestration.

RESPONSIBILITY FOR THE CRIME PROBLEM

RAYMOND MOLEY, *Professor, Columbia University, New York, N. Y.*

Among the bright spots in the social and civic work of Cleveland is the distinction that in the face of a sudden hysteria spreading over the country concerning crime Cleveland has been enjoying a very definite diminution in the amount of crime, a diminution which cannot be denied, for the work of the courts and judges shows it and statistics show it. Crime in Cleveland could almost be said to be on the way to extinction, though I doubt whether any judge will claim that that happy day is close. Three years ago there were four judges in the Cleveland Common Pleas Criminal Court. Judge Baer tells me that there are now only two judges and that these two judges aren't working as hard as the four judges worked three years ago.

This "crime wave," over which there has been so much concern recently, where has it taken place? Police figures show no great increase in crime in the past five years in the United

States. But that is no criterion, for police figures are notoriously inaccurate and comparisons among cities are therefore difficult to make. My own feeling about it is that in the past twelve months we have had an increase in crime *news*. Perhaps we have had an increase in crime, but I have become convinced, after watching the problem for three or four years and making rather interesting statistical investigations, that we really don't have crime waves in this country when we think we are having them. We have waves of news. Whenever the news that the papers have to offer is lacking, crime, always present, is open to all sorts of expansion in the news columns and suddenly there seems to be a great increase in crime when actually there is only an increase in crime news.

Five years ago, after the completion of the Cleveland survey of criminal justice, I made certain observations. I am going to repeat them, then comment on each one in the light of what has happened in the United States since that time. These observations were five in number:

1. There was too much politics on the bench.

2. Prosecution in the United States had fallen into the hands of young and inexperienced men and they were influenced by political considerations to such an extent that prosecution was done in a very slovenly way.

3. Police work in the United States was done by untrained men. The turnover in the police force was so great that we could not expect expert police service from our police departments in the United States. The heads of the police departments in the United States were selected for reasons other than those that should dominate their selection.

4. The yellow press was an element in crime. Newspapers were about as responsible for crime conditions in this country as any other single influence. Perhaps they were, and are, the greatest influence.

5. The bar of the country was unaware of its opportunities. It should be the sponsor of the common man in that which has to do with the courts. The bar did not properly lead public opinion in the correction of conditions in the courts.

Nothing has happened since that time to change these observations very much. In the past fourteen months, during a survey of criminal justice in Missouri (the first state, I think, to have a survey made of the whole subject of crime), I have had

an opportunity to check up on these points in another place. While the Missouri survey hasn't approached the question of politics in exactly the same way as the survey in Cleveland, there is every evidence there that politics still exist in connection with the bench.

A former judge of the Supreme Court of the state of Missouri said that, after he completed his term, he would not run again. The system of political selection of judges was such that he felt called upon to make certain tours of political, rather than judicial importance in the state and to climb stairs to the offices of lawyers too many times, so he decided that, while he loved service on the bench, life was too short to continue such a procedure.

I am not pleading for the appointment of judges, but I am pleading for a new public opinion on the subject, one that will frown upon certain political influences that have been permitted to creep into things judicial. This problem has been admirably met in Cleveland through the efforts of the Bar Association, which has made an attempt to keep judges on the bench, and to see that when a judge is elected to the bench he is protected in subsequent campaigns from the scramble for office that has characterized campaigns for judicial offices. Other states and cities should follow this method, for the bar properly organized and energized by a desire to serve the public can save us from a political bench.

As to prosecution, there is every evidence in the survey just completed in Missouri that, as was true in Cleveland and is true everywhere, the prosecutor's office in the United States is not being maintained on the high and exalted political plane that it should be. It is a training ground for statesmen, the place where our Jim Reeds originate, or if you don't like Jim Reed, then Robert M. LaFollette. It is the place where political careers begin.

This year I had a student look up the lives of 750 members of Congress, members of the Presidents' cabinets, and governors of states for over a period of twenty to twenty-five years, to see how many of those who were lawyers had held the office of county prosecutor. We found 60 per cent had held that office. More commonly than in any other office in America, that office had been held by those men who had achieved political success. In most cases that office had been the first held by these men,

the beginning of a political career. Robert LaFollette started in that way forty or forty-five years ago; his son Philip is in the same office. Jim Reed started that way in Kansas City.

This means that the age of our county prosecutors is bound to be under thirty. In Missouri the age is, on an average, about twenty-seven. It means that the men who are holding this position are holding it as a temporary resting place in a political career that doesn't necessarily mean a judicial career. It means further that they are untrained in the law. A young man serving as a county prosecutor, with a year or two of experience at the bar, is of course no match for the attorneys for the defense that are thrown against him in important cases, and of course he loses, loses, loses. After a while he decides that he had better not lose too many times, and then we begin to note curious things happening in grand juries. There are settlements out of court, many pleas of guilty, and other interesting things that mean an avoidance of a fair and square trial. In every state there should be a high officer as prosecutor in the administration of justice, one who has experience and ability in the law. This seems to me fundamentally important, not only for getting people into prison who ought to be there, but to keep people out who shouldn't be there. In Missouri 40 per cent of the prosecutors are not graduates of law schools.

As to the police, a similar situation exists. Truck drivers and laborers of various sorts are thrust into uniforms without training. The coroner's records revealed startling and abominable conditions in which police officers shoot to kill when they shouldn't, simply because they are untrained, unworthy members of a badly organized department.

As to the yellow press: There is every evidence that we have, not waves of crime, but waves of crime news. The papers of New York are becoming increasingly yellow. The *Daily News* now has a circulation of something over 1,000,000, the largest circulation in the United States. It is living on crime and crime news. The effect of such crime news is two-fold: It has a direct influence upon the minds of people who are not able to resist the suggestiveness of our present presentation of news, and further, it affects juries in a serious way. There is also interference by the press in the apprehension and punishment of criminals.

The bar of the United States is, I think, waking up to its responsibility in this matter. It is within the power of the bar

of the United States to create a public opinion in connection with crime which will lead us out of the wilderness, if only the bar can become more sociological and sociologists more legal. Everywhere we go we have this struggle. If I could do so without violating confidences I would mention some of the difficulties we had in Missouri in setting up the survey, between the lawyers who were socially minded and those who were not. We had difficulty in getting included such studies as probation, parole, and other social aspects of the administration of justice. The lawyer says that probation and parole are bad influences. We answer that we have never had probation and parole. There the matter stands.

In Missouri some interesting facts were brought out in our study of paroles which ought to make us all the more interested in maintaining the integrity of these new ideas in the administration of justice and keeping them free from righteous indignation on the part of the public. In the Missouri State Reformatory we found 85 per cent of all releases are now made by parole. The average time of commitment is 50.6 months, the average time served is 11.5 months. That means that forty months out of fifty are served outside the institution. For the entire state of Missouri there is one parole officer to look after these individuals. The most scandalous conditions exist in the granting of paroles. They have a merit system under which we found the average time served by the feebleminded before they secured the necessary merit points was twelve months. We found that habitual criminals got out in nine months. We found that 50 per cent of the paroles were failures, 25 per cent of all paroles disappeared, 25 per cent were returned for violating the parole. In the penitentiary we found that a ninety-nine year sentence meant service of a little over eleven years. We found it was much better to get a life sentence because the life sentence meant ten years of service. It was even better to get a death sentence because the average time served by those who received a death sentence was less than that served by those sentenced for life or ninety-nine years. Everybody was getting out.

There has been a great change in the past twenty-five years in the methods of release in Missouri. Practically all releases are now made through what is known as the 7/12 rule, a purely mathematical proposition of reducing a sentence by 7/12 after entry in the institution or prison. It is nonsense to say that

prisoners are released on parole because there are no parole officers.

Seriously, we social workers must either accept the present wave of resentment against parole and against all new social trends and wait for the wave to subside, or we must see to it that we have real parole and real probation. To have probation and parole in any state and then not have it function adequately is worse than not getting it at all. The number of repeaters who are in the penitentiary and in the reformatory in Missouri has increased 100 per cent in twenty years.

If I were to sum up, briefly, the charges I would make against the administration of justice in this country, I would make two suggestions, not against the Volstead Act, nor the decline of religion, nor the weakening of the home, but against politics and parsimony. We simply must get rid of political administration of justice in all its phases, and must alter the feeling the United States have that they can't spend enough money to cope with crime. The states seem to feel that they can't afford to hire probation and parole officers yet they can have their banks held up again and again by the same people.

We who are interested in the social side of the problem must work to create an understanding of the situation and drive home to the people of the United States the fact that crime cannot be reduced without paying to have it reduced. The people of London aren't any richer, I' judge, than the people of New York, yet the people of London can have 20,000 policemen and the people of New York have only 12,000 or 13,000, with the same population. There are other respects in which England has shown us the way. They are spending money on certain things that we find our legislatures reluctant to spend money for, yet we cry out that we have too much crime.

If we would solve the crime problem we must then create a new attitude on the part of the public toward our institutions for the administration of justice and get them out of politics; we must pay more liberally for what seems to me the most important responsibility that the government has in America—the treatment of the criminal, either by punishment or by reformation.

HOW THE CHURCH VIEWS CRIME AND PROBATION

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Long ago a great master said, "Suffer little children to come unto Me". I think the time has come when we grown-ups ought to pray "Suffer us, O God, to come unto these little children, to understand them".

You ask me what the church thinks of probation. The church thinks that in the sight of God, all of us are on probation. There is an ancient prayer found in our Psalms, which voices the universal conviction of men that in the sight of absolute justice and truth we are all delinquents. "Remember not the sins of my youth nor my transgressions, but according to thy great compassion, remember them." And the whole inspiring message of religion, as I take it, is just this: that God does not desire the death of the sinner but that he should return and live . . . live the richer and the fuller life. The gates of repentance, of spiritual resurrection are at all times open wide.

Religion believes that all of us are frail and that some of us are less equipped than others, by nature, by environment, or by education, to cope with those problems which involve a moral situation. All men face such problems and there is no man who would be content to have one transgression of his, one failure, or one error, damn him for life in the sight of God. We could, therefore, give to our fellowmen no less than that which we ask for ourselves of God.

The church believes, as you men and women believe, that the first sin which a man commits is not necessarily the result of wickedness or mendacity; and even if it were, the church feels that society is strong enough and should be generous enough to gamble for that man's soul. The first sins of men (more especially of young men) as a rule are not the result of mendacity or wickedness. There are conditions beyond the control of an individual which may be determining factors in his moral life, and society cannot wash its hands clean and say "I am not responsible".

Most first offenders are boys and girls, and most of these come from homes of poverty where they were denied the advantages of a wholesome, stimulating environment, of education and moral guidance. Many of them have early in life been broken on the

wheel of industry. In this gracious land of ours, blessed by God with plenty and prosperity, there are still over 1,000,000 children, between the ages of ten and fifteen, who slave in mills and mines and factories, stultified, starved, spiritually and mentally. Many of these youthful offenders come from broken homes. If some of these boys and girls were tempted and resisted not the temptation, if some of them offended against the law of society, can society wash its hands clean and say "My hands have not spilled this blood"? Can society, in a spirit of absolute righteousness, refuse to be compassionate, and turn avenger? Religion says "No".

I am not trying to exonerate every criminal, nor am I attempting to underestimate individual responsibility. There can be no legal system, no organized society, without the recognition of individual responsibility, but a sense of justice demands that when we are about to weigh individual responsibility and mete out punishment, all the facts in the situation should be considered. If man, as a social being has his responsibilities to society, society has its responsibilities to the individual. Society is called upon to execute certain moral mandates, to protect, to educate, to provide opportunities for spiritual growth, and failing in these, society must be ready to share in the consequences of crime and evil and injury.

I know there is a tendency on the part of the public, especially in periods of crime increase, to look with disfavor upon probation. There is such a tendency today. The public, aroused, frightened, but no more enlightened than heretofore, begins to clamor for the relentless punishment of the criminal, be he first offender, youthful delinquent or what not. There are many solutions offered for the checking of crime, but that is not the solution. Rather the reverse. For the imprisonment of a youth in one of our jails, or our correction schools, or our penitentiaries (such as they are today) is usually to sentence that boy to a lifelong career of crime, to make him a confirmed enemy of society.

So much for the church's conception of probation. It endorses it heartily, not merely on the ground of religious sentiment, not merely on the basis of human compassion, not merely because it reveres the integrity and the holiness of each human soul and seeks to save it for the finer life, but on the basis of reason and logic and the experiences of men.

How does the church view crime? I am not an expert on the

subject of crime, but there is a point of view which the church does have on this problem which I should like to present to you. Of course we view it, as every thoughtful moral citizen views it, as the most menacing situation confronting the American people today.

I had occasion the other day to look through the Annals of the American Academy of Political and Social Science for the month of May, and I was amazed. It startles one to come across statements such as these: That in the United States there are 2,000,000 law-breakers—in other words one out of every 50 of the population; that last year there were committed in the United States some 10,000 murders; that the United States is spending on crime more than it is spending on education; that almost 80 per cent of our criminals are boys. One reads in these cold and challenging figures the story of a breakdown in the moral tone and temper of the American people. I am not a pessimist. But I am not inclined to view the situation lightly. I see in these menacing figures indication of a spiritual decadence. Crime cannot increase year by year and invade more and more sections of our communities without enervating the moral constitution of a people.

I am not in a position to give a particular cure-all for the situation. I am rather convinced that there is no cure-all. It is a constitutional ailment and no single measure, no matter how severe, can cure it. I think that there is need of an overhauling all along the line. Various helpful suggestions have been made to meet this situation. It has been said that a closer co-operation between cities and states in following up and registering criminals, in keeping the records of crime, and in standardizing criminal procedure would help. I have no doubt about it.

It has been said that if our criminal procedure were swift and sure, as it is in England, crime would decrease. I have no doubt about it. In the City of New York there were committed in one year 160 murders, and in the City of London only 10. This difference might be attributed to the fact that English justice (and I have had some opportunity to observe its operation in England) is sure, swift and certain, while in the United States it is dilatory, sporadic and uncertain. It is the everlasting delay and the consciousness which the man about to commit a crime has that he has nine chances out of ten to escape punishment, it is his ability to make endless appeals, and, failing in these, ultimately to appeal to a politically-minded governor,

or to a sentimental or approachable parole board, which, to a large degree, encourage crime.

It has been suggested that a vigilance committee of citizens, such as our Cleveland Association for Criminal Justice, which keeps an eye on prosecutors and judges, is helpful. I have no doubt about it.

But I am not expert enough to pass judgment on the merits of one or the other remedy. This, however, is clear to my mind: the American people need a moral revival. It is not the expediting of the machinery of justice which will accomplish the desired results. The problem is deeper and reaches down to the very roots of our personal lives and of the lives of all citizens. There is need of a moral awakening. We have grown too rich in the last few decades and too easy-going; we have become too addicted to luxuries and to the disruptive and demoralizing influence of luxury. Old standards have been broken down, old virtues are looked upon as old-fashioned. It has become old-fashioned to speak of those simple essentials and indispensable virtues without which no society can exist. We no longer speak of purity, we hesitate to speak about obligations of children to parents, of honor, of integrity, of personal cleanliness, of decency. These are regarded in certain sections of our society, especially among the elite, as rather antiquated doctrines. Yet it is these simple virtues which are the foundation of society and they cannot be played fast and loose with. Merrily we sow the wind but terribly we shall reap the whirlwind. Think of the thousands of children hailing from these broken homes—the homes attacked by divorce—on their way to juvenile delinquency, and you will realize that the situation is much more serious and menacing than that which superficial observation would lead one to conclude.

I am convinced, and I may be old-fashioned in this, that the American people need a good dose of old-fashioned Puritanism, a frank and fearless re-emphasis of the moral essentials of civilization, and in this work the church must lead. I should like to see the church talk less about dogma and ritual and the hereafter. I should like to see the church, through its 10,000 leaders and spokesmen, in its hundred thousand institutions, speak insistently and continuously of these moral principles, these human indispensables which our nation needs. I should like to have the church, instead of wasting its energies in theologic polemics, begin to speak of conditions which make for crime and

delinquency, to speak effectively and pointedly concerning conditions of child labor, concerning slums, concerning undernourishment of children, concerning lack of playgrounds, concerning the absence of stimulating environments, to speak of them daily to its people, in the language of the people, until its voice is heard. Again, I should like to have the church do less of preaching to adults and more of teaching to children.

Churches erect for themselves magnificent edifices and put the religious school in the basement. Churches invest millions of dollars in stone and steel, but haven't yet built up a sufficient corps of trained and competent religious teachers. The church is content with one or two hours a week of the child's time for religious instruction, for the influencing of the child morally and religiously. Think of the hundreds of thousands of children who are never brought into the religious school of any church or do not even receive this 60 or 100 minutes of instruction. I should like to see the churches, instead of being open one day a week and closed six days a week, remain open all the time, supplying the children of the neighborhood wholesome recreation and ethical guidance, and offering youth a happy place to meet in. Many children would then be kept away from poolrooms and from congregating at street corners and from drifting into unclean friendships which may wreck their lives.

In other words I believe that a great campaign for moral and spiritual re-awakening and for the tightening of moral lines, ought to be launched in this land of ours to counteract the insidious and undermining influences which are all about us. The common sense, the fine traditions of the American people ought to come to the fore and assert themselves. We have been too easy going and too tolerant of what we thought was a passing phase. We half-amusedly watch the situation,—the late hours, the loose talk, the wild parties, the indecencies, the vulgar books, the vulgar plays, the vulgar movies, divorce, crime. But these conditions are eating at the vitals of the American people.

Surely we wish this nation to be, not only prosperous economically, not only great in wealth and power and affluence, but great in fine men and women. We wish to lead, not as the most criminal nation in the world (for that is exactly what we are today—this land is the paradise for criminals) but we wish to lead as the most law-abiding, God-fearing nation in the world. In this work social workers, the Church, the leaders of thought,

the writers, the press, the school—all ought to join in a comprehensive program for the quickening of the minds and the imagination of the American people to meet this menacing situation and to make for greater moral sensitiveness on the part of our people.

SOCIAL TREATMENT OF DIVORCE

EDWARD POKORNY, *Friend of the Court, Wayne County Circuit Court, Detroit*

A humorist once said, "To render a marriage perfectly happy the husband should be deaf and the wife blind." Most husbands have good hearing and the wives have good eyesight. Therefore, we are confronted with many problems in divorce cases.

In divorce cases where there are minor children, two major phases exist:

1. The dissolution of the marriage.
2. The adjudication of the welfare of the children.

Litigants coming from good families of means seldom trouble the court on questions concerning their children. The mother is usually a suitable custodian, and the father fulfills his obligations. The children are the wards of the court, and, as I once heard a judge express it, "the judge is the attorney for the children and anything that he does is for the best interests of the children."

The unfit mother and the neglecting father are the court's chief concern. Adequate and suitable legal machinery must be attached to the court to enable it properly to administer justice in divorce cases. The court is kept busy enough in performing strictly judicial duties. It should spend no time on strictly administrative matters. They should be delegated to non-judicial officers. This viewpoint was assumed by the Wayne County Circuit Court.

In 1913 in Wayne County there was operating a Domestic Relations Court. The following year the Supreme Court declared it unconstitutional and it went out of business. From 1914 to 1919, the Circuit Court for the County of Wayne was unattached to any known judicial department to give it aid and assistance in divorce cases. The circuit judges, in 1918, realiz-

ing the necessity for a department to aid in divorce matters, appointed a Friend of the Court. His duty was to enforce alimony decrees. The work done by the Friend of the Court was of such a great benefit to the public that its success was assured almost from the beginning. The idea took so well that the Legislature of 1919 passed an act creating the office of Friend of the Court for the whole State of Michigan.

The 1919 Act provides that it shall be the duty of the prosecuting attorney by and with the advice and consent of the circuit judges in each of their respective counties to appoint a duly qualified and licensed attorney as the Friend of the Court. In 1921 the act was amended providing that such Friend of the Court need not be a qualified and licensed attorney, but may be any person competent for such work and may be the same person who is probation or assistant probation officer in such county. The Circuit Judge may appoint an attorney to assist the Friend of the Court where such judge shall deem legal assistance necessary.

The statute defines the duties of the Friend of the Court. It is his duty to examine all records and files in divorce cases where decrees have been rendered and there are dependent minor children, ascertaining if such children are regularly receiving amounts of money decreed them for their support and if the sum is applied for their support and education, and that said children are properly cared for by their custodian.

It is the further duty of the Friend of the Court to bring into court, when necessary, by citation or otherwise, all persons who are delinquent in the payment of their alimony. Said Friend of the Court shall have full power by citation, or other order, duly issued by the Circuit Court, to compel the attendance of witnesses, to take testimony and to do each and every thing necessary, including the taking of contempt proceedings to collect any and all delinquent payments due minor children; to make recommendations to the Circuit Court for the betterment of the conditions of minor children and ascertain the morals and general conditions surrounding minor children, and shall report the result of his findings in writing to the Circuit Court.

In Wayne County the Friend of the Court is, also, an assistant prosecuting attorney who represents the prosecutor in divorce cases where there are children under the age of 16 years. In every divorce case where there are children under 16 years of age we investigate the home surroundings, health, school attend-

ance, and fitness of custodian of the children, the contributions of support by the father and his earning capacity. A written report is filed in the case with recommendation as to the custody of the children and payment of alimony.

The work also involves the attempted adjustment of differences existing between a husband and wife, either before or after the decree, as to visitation of the children by the father and temporary custody. I hardly need to say that there are many contentions that arise. In a case that now comes to my mind the father strenuously insisted that he should have the custody of a two year old child at least half the time. To my surprise, the mother very quickly consented and said, "Why certainly, you can have our baby half the time. You take him at nights."

After the granting of a divorce, providing for the payment of permanent alimony for the support of children, should any delinquency exist the ex-wife makes a complaint charging the ex-husband with non-payment of permanent alimony. There are many unusual situations that arise with reference to the collection of alimony. A lady who had obtained a decree of divorce some months prior walked into a lawyer's office, expecting to employ him in a law suit. The lawyer asked her what her case was about, and she said, "I want a lawyer to collect my alimony from the lawyer that got my divorce."

In our Circuit Court the majority of divorce cases are uncontested. The husband knows only the fact that the wife has started a suit for divorce against him and that he was served with the papers; after that he is quite disinterested. He doesn't care what the courts do. It is agreeable to him to have a divorce decree entered and he is decidedly disinterested in knowing what he is to pay towards the support of his family.

We send for the ex-husband, bring him in to the office and explain his obligations to him. Our judges, when signing temporary and permanent alimony orders, insist that the alimony be payable to the Friend of the Court. Our alimony records help to avoid controversies between the parties in determining how much has been paid and how much is due. That part of our system is a distinct advantage to the court. There are not very many ex-wives who are bookkeepers, or who care to give a receipt when the alimony is received, or who make a record of such payments; as a result differences arise, and the wife may claim that her husband owes her so many hundreds of dollars.

That is refuted by the husband, who claims that he owes much less. The 1923 Legislature passed an act providing that the alimony may be paid to the clerk or Friend of the Court. In most of the cases where we send for the ex-husband he calls at our office and after an explanation of the court order we arrange with him to pay his alimony regularly either in person or by mail. There is an advantage in keeping in close touch with the father of the children. He is impressed with the idea that the court is personally and directly interested in the welfare of the children.

Should we receive no response from the ex-husband, we then either procure an order to show cause or an attachment. The history of the case in our files enables the Friend of the Court to determine whether to apply for an Order to Show Cause or an Attachment. Upon the appearance in court of the respondent in answer to the charge of the non-payment of alimony, we relate to the court facts within our personal knowledge. Such facts have been obtained by an investigator in the office. After the proofs have been heard and considered we then recommend the disposition of the case. We may recommend a continuance to investigate new facts, or probation for a certain period or commitment to the Detroit House of Correction. The court has the power to commit to the House of Correction under Act 158 of P. A. 1921. By special arrangement between the Wayne County Board of Auditors and the House of Correction Commission, there is paid to our office $2 per day for every day that the prisoner is at the institution. The $2 per day is supposed to represent the prisoner's wage. At the present time there are 50 alimony delinquents confined in this institution, and our monthly receipts are close to $3,000.

This payment of $2 a day, representing the prisoner's labor to dependents in alimony cases, was a phase of our work that particularly impressed two Cleveland judges who visited us recently. They stated that in Cleveland the extent of the court's power to commit for contempt of court is to the county jail for a maximum period, probably of about 30 days. During that period of time what does the prisoner do? He plays cards, takes part in kangaroo court proceedings, and sometimes becomes adept at things characterized as "evil".

We receive many complaints from ex-wives that their former husbands not only have refused to pay the alimony, but have

left the state of Michigan. In such cases, where the man's address is known, we apply for a criminal warrant for the purpose of extraditing the respondent to the state of Michigan. This proceeding is brought under Act 276, P. A. of 1917. The jurisdiction of the Circuit Court extends to the borders of the state and we are unable to extradite a person residing in a sister state to answer to the charge of contempt where a writ of attachment is issued. We were obliged to resort to the Legislature to pass an act making it a felony for a person to leave the state and neglect to pay his alimony for the support of minor children. Heretofore the criminal court assumed complete jurisdiction of the case. Due to a recent ruling of the Supreme Court, we have changed our practice in these cases. When the man is brought into the state of Michigan under a criminal warrant we apply for an attachment for the purpose of bringing the respondent before the court and sometimes before the same judge who heard the case for the purpose of prosecuting the respondent for contempt of court in failing to pay alimony.

We endeavor in our alimony cases to avoid prosecution as much as possible. If a man complains that he has been sick or out of employment, or met with some other unfortunate circumstance, we put an investigator on the case to verify his statements. In most of the cases the men are truthful with us. When they are again reëmployed, we generally get the man to pay his current alimony, plus a certain sum to apply on the accrued alimony. It goes without saying that we have to deal with a class of men who are chronic alimony delinquents, who purposely conceal themselves to avoid complying with the court's order or serving of process upon them. The work of the Friend of the Court might be characterized as the Domestic Relations Division of the Circuit Court.

The work of our office is continually on the increase, which is due, of course, to the increase in the population of Wayne County and the increase of divorce suits filed. In 1925 there were 8,335 divorce bills filed; 21,530 marriage licenses were issued; 4,746 divorce decrees were granted. In 1919 there was paid to our office alimony amounting to $110,315.94; in 1920 the sum of $321,369.13; in 1921 the sum of $343,454, and in 1922 the sum of $557,693. In 1923 there was paid $758,000; 1924, $995,000, and in 1925, approximately $1,250,000. The

average monthly alimony payments at our office at this time amount to around $110,000. The average daily amount of alimony payments amount to around $3,900.

The majority of the money is sent to the residents of Wayne County. A part of it is sent to every state of the Union where children of divorced parents are living. Alimony is sent to England and the Continental countries for the support of children whose fathers have come to America and after becoming accustomed to our ways have forgotten the home land. They have come into the divorce court and obtained a dissolution of the marriage, but the decree has carried a provision that the father shall contribute to the support of his children even though they may be living in a foreign land.

Finally let me tell you of three recent court rules adopted by our court, for the express purpose of facilitating court work, aiding the litigants and the lawyers. Heretofore motions for alimony, custody of children, amendment of temporary and permanent alimony orders were heard on Saturdays by our local judges, 14 in number, and three or four upstate judges. About 100 to 110 of those motions were heard every Saturday. I think most judges will appreciate what I am now saying of the problem that the court had in deciding these matters and fixing an order. The attorney for the wife would read a petition, standard in form, alleging that the wife is destitute, no means of support, unemployed, and that her husband earns from $75 to $80 per week. The attorney for the husband would read a lengthy affidavit denying every charge made and asserting counter charges against the wife, alleging she has an income, or has money in the bank, or is employed, and that he isn't making $75 a week, but is earning $30. It was a serious problem for the judge then and there to decide how much alimony the husband should pay. He had two contributing claims and I venture to say that the best the judge could do would be to compromise it or make a guess.

That situation has been changed. Under the recent court rules all praecipes noticing motions for hearing must be filed with the Friend of the Court and docketed. A second court rule provides that it shall be the duty of the Friend of the Court to investigate and report with recommendations in all cases where motions are made for preliminary orders in a divorce case. The third rule provides that it shall be the duty of the

Friend of the Court to enforce all orders and preliminary matters.

On Saturday morning we don't work before 18 judges; we go before one judge with 100 to 120 cases where investigations have been made, written reports filed with recommendations as to the amount of alimony that a husband should pay. That plan is agreeable to the bar. They welcome it and they hope for great things.

Recently we undertook a statistical examination of divorce cases filed in 1925 and 1915 to see if any material difference existed during a period of 10 years. We examined the first 20 suits filed for each month of 1915 and the same for 1925. We learned that in 1915 the husbands were plaintiffs in 79 cases and the wives in 171. In 1925 the husbands were plaintiffs in 77 cases and the wives in 173. In 86 of the 250 cases started in 1915 one of the grounds for divorce was drunkenness. In 1925 that was reduced to 77. The average number of years that the parties were married in 1915 in these cases was 9.5 years. In 1925 that was reduced to 7.6 years. The longest number of years any couple was married in 1915 was 36 years; in 1925 it was 32 years. The shortest—the average—that couples were married was three months during 1915 and 1925 as well. Of the 250 cases in 1915, 17 cases were married less than one year; that number was brought up to 18 in 1925. From one to seven years, in 1915 it was 59 and in 1925, 76. From seven to 14 years, in 1915 it was 40 and that was increased to 44 in 1925. From 14 to 21 years, it was 28 in 1915 and was decreased to 12 in 1925. Then 21 years and over it was 16 in 1915 and reduced to 10 in 1925.

It is encouraging to know that people married 14 years and longer didn't come into the divorce court as frequently in 1925 as they did in 1915. With reference to the number of children in the families who came into the divorce court, the 1915 records show that of the 250 cases 77 were childless. In 1925 the number increased to 93. Families of one child amounted to 37 in 1915 and that went down to 31 in 1925. With two children it was 22 in 1915 and 16 in 1925. With more than two children it was 24 in 1915 and only 20 in 1925.

Within the past two months I have read with considerable interest a proposed bill that was presented to Congress in Washington to increase the salaries of Circuit and District Judges.

The claim was made that these judges are very much underpaid and the bar of the United States agrees with that sentiment, but I have this message to give to probation workers, that they are also very much underpaid, generally, considering the character and class of work that they are doing.

But, monetary compensation aside, something else must come to social workers in the performance of their duties, and that is the inspiration and the satisfaction that comes in alleviating the distress and the poverty of children of ex-husbands and ex-wives in all phases of social service work. I believe that social service workers must be endowed with such spirit that it makes no difference on what plane of life they labor, nor how great or small the number of their acquaintances. The one who toils and yet knows that through his influence there is at least one life in which there is sunshine, where but for him there would have been shadow; that there is at least one home in which there is cheer where, but for him, there would have been gloom; that there is at least one heart in which there is hope, where but for him there would have been despair; that person, as he goes through life, carries with him one of the greatest treasures on this earth.

DISCUSSION

MR. F. C. HELBING (House of Refuge, Randalls Island, New York): May I ask if it is a criminal charge if a man fails to pay alimony, and why should he be put into the House of Correction where the large percentage of men are sent for other offenses?

MR. POKORNY: The Supreme Court of the State of Michigan, about a year and a half ago, ruled that contempt of court for non-payment of alimony is in its nature criminal and that it was constitutional to prosecute an alimony delinquent criminally for non-payment of alimony.

The advantage in confining a person to the Detroit House of Correction isn't so much with the prisoner as it is with the dependents. The commitment of a chronic alimony dodger to the county jail for a maximum period of 30 days would have very little effect on society. It is only an expense to the county. The legislature empowered the court to commit to the Detroit House of Correction those men whom I have told you of.

MR. HELBING: For how long?

MR. POKORNY: The maximum penalty is one year. A man sent to the Detroit House of Correction, owing $300, will serve 150 days if he works it out at $2 a day. We have a Detroit House of Correction farm located about 20 miles from Detroit where most of our men are sent. They do outdoor work on the farm and are really much better off than if they were confined in the county jail with men whose character may not be any better, or worse, than the ones working in the shops of the House of Correction.

MR. HELBING: Does that mean that if a man stayed in the House of

Correction for 150 days, and then went out and refused to pay, he could be recommitted and kept in there more than once?

MR. POKORNY: Theoretically that could be done. We have to be human in these instances and give a man a chance in these cases to get back on his feet and go to work. I do recall cases where men have been committed three different times for non-payment of money, but the interim was almost a year before the recommitment.

MRS. C. C. WARRINGTON (Fort Wayne, Ind.): When you are speaking of the term "alimony" are you meaning the alimony as we term it in Indiana, which is the sum paid to the wife regardless of children, or do you mean non-support money which is paid by the husband for the support of children?

MR. POKORNY: The majority of our cases concern children. We have a small number of cases where alimony was ordered paid for the benefit of the wife only because of her condition of health, or her inability to work or become self supporting.

MISS BEULAH WOOD FITE (Memphis, Tenn.): Do you wait for a wife to complain before you begin collecting?

MR. POKORNY: We have something over 8,000 alimony accounts. We believe the policy of waiting for the wife to come in and make a complaint is better than for the investigators to go out and collect evidence. The ex-wife doesn't waste much time in making a complaint for non-payment of alimony.

JOSEPH L. MOSS (Chicago, Ill.): Does the Friend of the Court in Detroit have anything to do with the charges on which the divorce is granted? That is, may a husband or wife come to your office and ask you to assist them in getting evidence or present evidence which will lead to divorce, or is your work limited to the social service part of the case, the charges being handled entirely by the attorney for the defendant?

MR. POKORNY: Care must be exercised in doing that kind of work. We are not the attorneys for the wife nor for the husband. Charges of immorality are investigated, because that touches the welfare of the children and also effects the suitability and fitness of the custodian of the children. If a husband makes a charge of immorality against his wife, she is the custodian of their children, then those charges are investigated and a written report is filed with a recommendation, but on general charges of cruelty, such as the use of vile language and staying out late at night, we do not find out where the truth lies. That is a matter of proof in open court.

I didn't say much to you before regarding reconciliations but we average about 45 a month. Because of the opportunity we have to investigate the facts and interview the people separately as well as together, we can get their viewpoint and frequently can adjust their domestic difficulties.

A UNIFIED COURT DEALING WITH FAMILY MATTERS

HON. L. B. DAY, *Judge, District Court, Omaha*

The terms "family court" and "court of domestic relations" seem to mean so many different things to different localities that they are almost meaningless as a description for a court. We

read in the proceedings of this Association for 1924, in the report of the Committee on Family Courts,[1] that

> In Omaha, where the Juvenile Court is a branch of the District Court, they miraculously, as it were, transformed their court into a Domestic Relations Court. What happened to effect this change was that the particular judge who hears juvenile cases has also been assigned to non-support and divorce cases.

It did not seem an extraordinary or radical departure to the judges of that court, when the judge[2] then presiding over the Juvenile Court suggested that a new docket be provided for by court rule[3] and "that the judge having charge of said docket shall preside over the Juvenile Court, hear all divorce cases, mothers' pensions and matters pertaining to domestic relations generally".

How simple and effective it was for a court already hearing all these cases to segregate and consolidate them upon one docket, securing that unity of administration which is so essential and yet apparently so impossible in any other way. Thus we have established our Court of Domestic Relations, and looking back over an experience of five years with it, the only thing that seems miraculous now is that it had not been done before.

This court was not created by new legislation, its jurisdiction was already established by the law of the state. No litigation followed to test its jurisdiction or the validity of its proceedings. Extensive litigation almost always follows the establishment of a new tribunal and interferes with or nullifies its work for some time. This court had no conflict of jurisdiction, since it is the only court hearing matters pertaining to domestic relations. This method of establishing a court of domestic relations is not new, has been used elsewhere and is mentioned here to illustrate the fact that it is not always necessary to tear down the old court and establish a new one, but that the old one may be adapted to new conditions. Our present system of jurisprudence, with all its faults, is the greatest system of applied logic the world has ever seen and ought not to be discarded lightly until some other system is proved better.

The problems presenting themselves to a court handling family matters are social problems more than legal. The disposition of one case involved in the family relationship must always be disposed of with a proper regard for the other relationships involved. For example, a non-support case may be so handled

[1] The Development of Family Courts, Mary E. McChristie. Page 170, Proceedings National Probation Association, 1924.
[2] Hon. Willis G. Sears.
[3] Sec. 5, Rule 1. Rules of Court. District Court, Douglas County.

as to improve family relationships, or its disposition may entirely destroy those relationships. In dealing with these cases the court deals with the effect and not the cause, and in the usual method of court procedure the court is usually blissfully ignorant of the trouble. It is a social problem, to adjust the relationship of the members of that family, rather than one of a criminal prosecution. A conference with an experienced and trained worker by husband and wife accomplishes much more than the arrest of the husband. If this fails, then the probation laws give the family another chance for adjustment under the supervision of the probation officer.[1] If family case work fails, and it develops that the husband deliberately refuses to support his family, he can still be punished under the criminal laws. If this were done in the first place, it would be impossible for him, in jail, to support his family, it would embitter him to such an extent as to cause him to be unwilling to attempt to help, and might eventually lead to divorce, thereby entirely destroying the family relations. But the case work method is possible only for a court supplied with a probation staff, which can do this work.

Again, let us take the problem of the young child in court. In the majority of cases he is there because of the neglect, the stupidity, or the perverseness of the parents. In such cases, we have much to say relative to placing the child on probation. We sentimentally talk in a big-hearted way about giving the child another chance, when after all, does not every judge feel that it's a case of giving that family another chance to adjust itself? Does not every probation officer know (if they do not, they ought to know) that what they are really doing is family case work?

Let us now consider the family court and mothers' pension support for dependent children. By means of the assistance given mothers from the public funds, dependent children are kept in their own homes and their natural family relationship is maintained. This appeals to me as the greatest constructive work being done by the state at present, but it does present its problems and difficulties of administration. It must not pauperize the children; the money must be spent for the benefit of the children; the home must be morally good, the children must be properly clothed and they must attend school. All these things and more must be attended to or the children might better have been placed in an institution, the very thing the mothers' pen-

[1] Sec. 9587, Compiled Statutes of Nebraska, 1922.

sion seeks to prevent. This again calls for family case work.

Lastly, we come to a discussion of the place of divorce cases in the court handling family matters; and we come with some hesitation because we realize that there is a wide difference of opinion upon this subject. Many suggest that the family court ought not to be burdened with hearing the sordid details of divorce cases. But we find that in about 40 per cent of the cases the custody of minor children is involved. Then, these same people reply, if the family court must take charge of these cases because of the children's interest, then the other cases should be tried in another court. This seems to lead us away from the primary cause of divorce. We find that the statutes of the various states list from one to numerous so-called grounds for divorce. Long since, we were disillusioned of the belief that the court gets at the real primary cause of the marital trouble in a public hearing in a crowded court room. The fact is that the court hears only so much relating to the family as the parties want him to hear. But when they are subjected to an independent investigation and the investigator talks privately with both parties, then and only then do we find the real underlying cause of divorce. It is then, also, that we discover that the statutory grounds for divorce are only the vehicle in which they ride through the underbrush of a legal wilderness.

There is the legal approach to this problem and there is also the social approach. Our state has provided by statute[1] since 1921, that in "suits to annul or affirm a marriage, or for a divorce, it shall be the duty of the court to make independent investigation of the merits of all default cases where minor children are involved, through a probation officer or other agency". In our courts this has given the probation officers an opportunity to appeal to the parties involved to become reconciled. Here is a wonderful opportunity for family case work, although it comes at a late stage, but many homes have been rehabilitated because some disinterested probation officer was willing to make an attempt to compromise differences and is able to work intelligently because he has discovered the real difficulty. This method has uncovered all manner of attempt to perpetrate a fraud on the court and has diminished the number of decrees fraudulently granted.

The records of our court have many such cases. In one where the plaintiff testified in court that it was her first marriage, it developed upon investigation that this was in fact her sixth

[1] Sec. 1522, Compiled Statutes of Nebraska, 1922.

trip to the divorce court, and three separate times her cause was founded on the fact that her husband (pro tem) had been sentenced to the state penitentiary for a felony. The investigator also discovered another candidate in waiting and many other interesting things.

Another, the probation officer discovered, had present in court, as corroborating witness required by law,[2] the man who had stepped into the home and caused the husband to leave because of her unfaithfulness, and who had in fact and in truth replaced the husband.

Are we to set one standard for family relations where there are children and another for those where there are none? One case tried in a social court and another tried without any regard to the social problems involved?

The reports of our courts of last resort are filled with cases involving the question of jurisdiction over children's cases between the juvenile court and the divorce court. This would not be the case if the problem were not common to both classes of cases. Many states even have divided jurisdiction over divorce cases. In some communities there are as many as three separate courts—I do not mean three different judges—hearing divorce cases. In my opinion, this does not make possible an efficient administration of the work.

This is true also of the other cases, generally mentioned as belonging to a family court. Eventually the family problem will probably come before the family court in some form anyway and might much better be handled there in the first place.

This is not intended as a comprehensive discussion of the methods of a unified family court, except to demonstrate the similarity and the relationship to each other of these problems. These problems are chiefly the result of the maladjustment of the family relationship, and they can be most efficiently handled by a unified court with an adequate and efficient probation staff, working in close coöperation with all the agencies of a community doing family case work. It is not its purpose to supervise the family life of the community, but to offer helpful service where it is required. It will not eradicate the problems, because we will always have them; but when they find their way into court let us meet them with a social vision that dictates a common sense and intelligent judgment that can only come from an understanding of the underlying causes of these social disturbances which destroy family life.

[2] Sec. 1550, Revised Statutes, 1922.

And, finally, my purpose has been to bring to you the idea that the personnel of the court is more important than the technical legal machinery, and that it is possible to adapt existing courts to social problems and to harmonize the social and the legal approach. All this can be done with a proper regard to the rights of the individual involved and without in the least doing violence to any constitutional rights.

THE FAMILY IN COURT—A UNIFIED PROBATION STAFF

JOHN J. DOYLE, *Chief Probation Officer, Ramsey County Courts, St. Paul, Minn.*

In Minnesota we have courts of general jurisdiction, designated as District Courts. It is under the supervision of such a court that my office functions. Ramsey County, which I serve, is largely within the limits of the City of St. Paul, so my remarks will refer to the city work.

In my official capacity, with a unified probation staff, I may be called upon to serve the judges of the District, Juvenile, Municipal, and Probate Courts. In the District Court an adult may be placed on probation if the maximum penalty does not exceed ten years; in the Juvenile Division of the District Court all children under the age of eighteen years are referred to the Probation Office; misdemeanants, with a maximum sentence of ninety days in the workhouse, or a fine of $100, are handled by the Municipal Court, which may place any adult on probation. In this court most of our non-support cases are taken care of. We are also subject to the call of the Probate Court on guardianship matters.

Under a divided probation staff, the J. family presented a series of problems over a period of years, and became an increasing burden on the public funds of the City of X. Their first appearance was before the Juvenile Court, on the complaint of neglect preferred by the school authorities. The three children were frequently out of school because proper clothing was lacking and just as often went to school without any breakfast. Mr. J. offered the plea of unemployment (it had been difficult to find and keep a job that winter) and was consequently given an opportunity to go to work and properly to support his family. Conditions apparently improved and no complaints were made by the school authorities for over a year. One day, however, the probation officer connected with the Juvenile Court was told

that the children were out of school. A visit to the home revealed that Mrs. J. had just been arrested for shoplifting and was being held in jail, because she was already under a suspended sentence from the Municipal Court for a similar offense. At the same time Mr. J. was confined in the same jail, waiting a hearing on the charge of desertion of his illegitimate child. A warrant had been sworn out for him charging that he had left the state with the intention of abandoning this child. Each of the three probation officers interested was surprised to know that the others had had contact with the J. family. The whole situation was so muddled that it became apparent that the system was at fault. Consequently the officers decided to work out a unified system of handling cases from the family point of view, and turned to St. Paul, since the unified system had been in operation there for some time.

With an index card for every person who has ever come to the attention of the probation office it is easy to clear the name of each new probationer; next, to clear it through the confidential exchange with which all of the case-working agencies in the city are registered. With such a system of checking, it is logical to think in terms of the family, instead of in terms of the individual who has come in conflict with the law. Home calls are made and the various adult members of the household interviewed. A clergyman of the religious denomination preferred by the probationer is next seen and his assistance obtained, since there is a definite relation between delinquency and non-attendance at church. Employers, both previous and present, are interviewed, and if desirable, an employment adjustment is made. Minor as well as major physical defects are discovered by examination, and an effort made to correct them. In case of a mental defect, the special services of the state are invoked and a plan of treatment worked out. While the probation office has no funds for relief, it is always possible to obtain such assistance, either from public or private organizations. In the case of a juvenile, a careful check of school records is made, and the various forces of the school department are asked to assist in treatment.

A comparison between the methods used by the family societies which render relief or some other type of service and those used by a probation office is of interest. The family societies have built up, even in the largest cities of the United States, the plan of a main or central office, with as many district offices as are required, all under the direction of one individual.

Under such a plan there is a uniformity of treatment, as well as of investigation. The child guidance or behavior clinics working along the modern theories of psychology have demonstrated that the particular child must be studied in the light of his home and the various members of the household, if a true picture of his life as an individual is to be known. Economics has taught us that one organization with well-trained and correspondingly well-paid workers under an able executive will cost less than several smaller organizations with mediocre executives in charge. At best it is a difficult task to avoid duplication and waste motion.

Considered from the angle of the family whose several members have come in contact with a divided probation staff, is it fair to expect that family to make the necessary adjustments, when advice is offered by two or three persons who differ radically in point of age, sex, race, religious interests and previous training?

I can sympathize with the Irishwoman who was taken to task by a probation officer because her dishes were unwashed, floors unswept and beds unmade at noon time. Her retort was pointed, "Shure, how could I take care of my house when I had to entertain three of you probation officers this morning, each of you telling me a different way to manage my family?"

To avoid such overlapping in St. Paul we have advanced even a step beyond the unified probation staff. A case-working agency, already familiar with the family and its various problems, supervises the individual or individuals on probation, reporting at stated intervals as to the progress which has been made. We thoroughly believe that much good can be accomplished by the case-work method of allowing one organization to treat the manifested disorders in a family, calling into conference specialized agencies whenever the situation becomes complicated. It is a matter of common knowledge that a large proportion of the cases coming to the attention of a unified probation staff are already known to some other case-working agency.

The D. family became known to the Probation Office in St. Paul when Mr. D. was brought into Municipal Court on a charge of drunkenness and was given an opportunity on probation. Shortly afterwards, the son, John, was brought into District Court by the County Child Welfare Board on the charge of illegitimacy, preferred by a girl whose parents had just moved to the state of Idaho. Paternity was established and John was ordered to pay for the support of his child. The Child Welfare Board was forced to make plans to board the baby, since the

mother had neither a home nor relatives in Minnesota. At this point, Mrs. D. generously, so everyone supposed, offered to take the baby into her own home, giving as her reason the hope that John might be brought to realize his responsibility toward the mother as well as toward the child. John made his monthly payments for a short time. Later, payments began to drop off gradually, he took to drinking and with a younger brother, Ed., was brought into Muncipal Court, as the result of a family brawl. Again the Probation Office was asked to assist. About the same time sixteen-year-old Henry began to steal and a petition was filed in Juvenile Court by a member of the Police Department. It was apparent that some factor in the home situation was responsible for these delinquent acts on the part of the various members of the family. Suspicion pointed to Mrs. D. as at least the contributing factor. This was confirmed by the story of the unmarried mother who had become dissatisfied with the physical care which her baby was receiving. She told that Mrs. D. nagged and scolded all of the time; that she made complaints to the Probation Office about her husband's and son's conduct and then in turn complained to these same members of her household as to things which the Probation Officer had said or done. Mrs. D. managed to keep the entire family in a state of turmoil. She finally had denied the mother of the baby the right to see her own child, claiming that she had forfeited her claim by not caring for the child herself and by her infrequent visits. The County Child Welfare Board again brought John before the District Court on an order to show cause for not supporting the child. The assistance of the Probation Office was enlisted and, on the report of home conditions, the mother was allowed to take her baby to the home of her parents in Idaho, and John was warned that failure to pay for the support of his child would mean a prison sentence. As a result of all the facts brought out before the District Court, and in view of Henry's inability to adjust himself in his home or in the community, it was decided that he needed the influence of a correctional institution. All of the facts here outlined were known to the Probation Officer before any decision was made.

It is an underlying principle of all case-working agencies, and a probation office is or should be recognized as such, that the family is a unit, around which most plans should be made. In neighborhood houses every effort is made to include all members of the family; education as well as recreation is built around

the family unit. Every religious organization offers features or services for the family as a whole, as well as for individual members. Health programs stress the family unit since there is scant value in the observance of health rules by one member of a family if all of the other members disregard such rules. Even judicial systems recognize the influence and power of the family, since parents are held accountable for the care or lack of care which they display toward their children. Only in extreme cases does the law favor the breaking of family ties; divorce is granted only for some serious infringement of the marriage contract; men and women are forced to support their children, and can even be punished severely for contributing to their neglect or delinquency; and lastly if the law does separate children from their parents, every effort is made to provide a suitable substitute for family life.

A unified probation system tends to preserve this important family unit; it raises standards for probation work in general, since the various departments are equalized, their plans of investigation and treatment standardized and defects in the system as a whole more readily seen and corrected. There is also a distinct saving of the time of workers and an equally distinct saving in money, since overhead in any organization is always a sizeable item. Last, but by no means least, under a unified system, due consideration is given the feelings of the individuals under investigation and treatment and one comprehensive plan is formulated.

A question may be raised as to whether such a unified probation system would prove of working value in a large metropolitan city. My only answer is to remind you that our railroad systems, our telegraph and postal systems, and even our federal government is built upon just such a plan. Do these organizations function in a satisfactory manner?

NEW GOALS IN PROBATION

EDWIN J. COOLEY, *Chief, Catholic Charities Probation Bureau, Court of General Sessions, New York City*

INTRODUCTION

"To the new type of social worker seeking to learn the art of human helpfulness is entrusted a supreme opportunity," states Dr. Van Waters. "Upon them it depends whether society will continue to 'try out' humanitarian theories and principles

like probation and parole, or whether medieval darkness will again sweep our courts and institutions. A swelling tide of disrepute threatens to engulf much social work already in existence for delinquents. The public cannot know that *probation,* as conceived by students of human behavior, has never been applied to any large area for any length of time. The public cannot be expected to know that 'giving another chance' or turning out of the courtroom with admonition, is not probation; probation is contact with a constructive personality, who is enlightened enough by nature and training to be able to translate the findings of scientific research into action useful for social treatment, and to induce growth. Knowledge far outruns practice. There is no longer reasonable doubt that delinquency could be checked, practically eliminated from the normal population, if a sufficient number of social workers would dedicate their lives to the application of the scientific knowledge of behavior we now possess.''[1]

What follows is an attempt to present some of the results and findings of an experiment in modern probation, animated by the spirit and ideals of the great social vision, so graphically portrayed by Dr. Van Waters—an experiment conducted by the Catholic Charities Probation Bureau in the Court of General Sessions in New York City.

PART I

THE FIELD AND THE ORGANIZATION

The Court of General Sessions.—Since the time of Charles II, the Court of General Sessions of New York City, the oldest criminal court in North America, has been concerned solely with the adjudication of the cases of those charged with felonies. Its first defendant was indicted for burglary on ''the 19th day of December in the five and thirtieth year of y' reigne of our Sovereigne Lord Charles the Second by the Grace of God King'' and upon conviction was ''whipped on the bare back in y' morning by eleven of the clock before the city hall and branded on the forehead'' while his wife, who had acted as an accomplice, was branded ''on the fatt of the thumbs.'' In the annals of the Court since that time are to be found the names of some of the world's most notorious criminal characters, and before

[1] Miriam Van Waters, ''Youth in Conflict.''

its bench have appeared the most spectacular of the latter-day bandits.

In the year 1925, *2,738* persons charged with felonies were convicted by plea or trial before nine judges of the Court of General Sessions, and charges against *2,804* others were disposed of by acquittal, dismissal, or discharge, or because defendants had been found insane or had forfeited bail.

For a score of years the probation work in this court had been carried on by bureaus maintained by Catholic, Protestant and Jewish organizations. Their efforts, however, were continually handicapped by inadequate funds, insufficient personnel, and a lack of public interest.

YOUTH AND CRIME.—This type of probation service was still in existence in the Court of General Sessions when New York City was seized by what has been popularly characterized as a "crime wave." The newspapers daily were filled with accounts of the exploits of youthful and daring bandits, and on every side there was evidenced a degree of sensational crime sufficient to give rise to the opinion that the criminal was at war with society. Drastic measures, confused and conflicting, were advocated in the press by political leaders, social reformers, educators, and others who saw in the asocial acts of youthful delinquents a serious menace to established order.

Out of this confused clamor for summary retaliation emerged the more rational opinions of a few who believed it a matter of supreme importance to determine why there existed such a prevalence of crime and why youth was playing such a startling rôle in its perpetration.

THE BUREAU ESTABLISHED.—Deeply interested in this problem of crime and youthful delinquency, and desirous of performing a civic service to the community, Cardinal Hayes, on January 11th, 1925, announced through his Secretary for Charities, the Rev. Robert F. Keegan, that he would develop in the Court of General Sessions a modern Probation Bureau for the careful study and scientific treatment of delinquency. The Bureau, in the words of his Eminence, was "to countenance no coddling of criminals, and was to be deeply concerned with the protection of society and the human and property rights of the individual." Comprehensive diagnosis and intensive individualization of treatment were to be the salient features of the investigation and supervision work to insure the rational treatment of the delin-

quent. A study of the causal factors of crime was also contemplated with a view to formulating a program of prevention.

The venture was to be adequately financed and provided with all the necessary facilities; so that probation at last might have an opportunity under ideal conditions to demonstrate its potential value to the community.

The period of the experiment was not to exceed two years and it was intended that thereafter the archaic system of denominational bureau direction would be supplanted by a publicly salaried bureau under Civil Service regulations.

LEGISLATIVE ENACTMENT.—To carry out this purpose, the Hackenburg bill providing for the establishment of a publicly salaried probation bureau in the Court of General Sessions, sponsored by the Board of Judges, was actively supported by the Catholic Charities of the Archdiocese of New York. The bill, signed by Governor Smith on April 16th, 1926, empowers the Judges of the Court to determine the number of probation officers, clerks, and typists necessary to the probation work of the court and to fix their salaries. Thus the situation need never arise where the burden of cases from the court will exceed the capacity of the Probation Bureau.

The new law is the only one in New York State, and one of the few in the United States, which grants the judges of a court full power to determine the number and salaries of the personnel of a probation bureau.

The publicly supported Probation Bureau will be inaugurated on January 1st, 1927.

BUDGET AND ORGANIZATION.—Based on a careful study of the volume and nature of the work of the court during the past six years on a well-considered estimate of the needs of a publicly supported bureau, a budget with supporting data and statistical tables was submitted by the Bureau to the Judges. This budget provided for a staff to consist of a chief probation officer at a salary of $7,500, two deputies at salaries of $5,000, 36 probation officers at minimum salaries of $3,000 a year, and an adequate force of clerks and typists. The number of employees suggested for the contemplated bureau totalled 67, and the budget expenditures aggregated $210,672.25. This budget was adopted by the Board of Judges on June 16th, 1926.

To allocate, facilitate, and standardize the work and procedure of the proposed bureau, a comprehensive set of rules and

regulations, embodying the best principles and policies of modern probation practice was also submitted to the court.

When the budget and the proposed rules and regulations are finally put into effect by the Judges, the Probation Bureau of the Court of General Sessions of New York City will be equipped to carry on a quality of adult probation service heretofore unattained on any extensive scale. It will mean also that the present Bureau has made a permanent contribution to the probation work of this Court, and that the high standards maintained throughout its demonstration will become an integral part of the public service.

Administration and Organization.—As soon as the present Bureau had been established, a methodology, embodying the highest standards of probation practice as well as the basic principles of social science, was put into effect.

The staff of the bureau was organized and included, in addition to the Chief Probation Officer, a Supervisor of Investigations, a Supervisor of Case Work, the Probation Officers, an Employment Counsellor, Clinical Service and a Registrar. An adequate clerical and stenographic staff was appointed, and the necessary office equipment was provided.

The probation officers, selected on a basis of personality and training, were all college graduates and were experienced in various branches of social work. Thus the Juvenile Court standard of minimum educational qualifications for probation officers was put into practice.

A division of the staff into an Investigation and Supervision Corps permitted the officers of each to give full time to their respective duties of diagnosis and treatment. Officers especially suited for investigation work were developed as specialists in social diagnosis, while officers with a marked aptitude for constructive case work were enabled to devote their full efforts to the supervision of probationers. Thenceforth, the investigation and supervision work progressed simultaneously to that high level of accomplishment which in a large bureau is impossible without a division of staff.

Training of Probation Officers.—One of the most pressing and important tasks confronting the administrator was that of providing additional and more intensive training for the probation staff. Because of the exacting and high standards of probation practice and methodology set up and because of the fact

that the work in the Court of the General Sessions presented some of the most difficult problems in social diagnosis and supervision, the Chief of the Bureau found it absolutely essential to take complete personal charge of this intensive process of training and supervision.

In a series of conferences the administrator explained the principles and standards which were to govern the probation service of the Bureau, and outlined and discussed the most effective and practical steps necessary to achieve this character of work. Copies of model investigations and case histories, rules and regulations, as well as the necessary forms and records which had been prepared in advance, were given to each officer.

After the officers had commenced the actual work of social diagnosis and supervision, every step of these processes was checked up by the Chief of the Bureau and when the work did not meet the required standards, mistakes and shortcomings were remedied. As the work progressed, daily bulletins bearing on every angle of standard probation practice were issued to the staff. In addition the officers were given probation manuals and literature to study, and were required to master the technique of probation methodology.

Staff conferences for the discussion of the best methods of handling specific problems and difficult cases were held two or three times a week, either of the entire staff or of the investigation and supervision corps separately. In addition, the Investigation and Case Supervisors conferred currently with the officers in regard to the progress of their cases. Thus, through a system of intensive personal training, setting up of exacting standards of work, and the vigilant checking up of errors or failures to meet the standards set, the staff was gradually brought to a high degree of efficiency and accomplishment.

Reading assignments in such subjects as criminology, mental hygiene, social case work, and psychology were given the staff, and this material was discussed during the staff conferences. The officers were encouraged to take night courses and attend lectures on criminology, psychology, sociology, and allied subjects. During the summer period, practically all of the probation staff attended special courses at one of the leading universities of the city.

A library was developed at the Bureau for the use and training of the probation officers. The facilities of the public libraries and the other libraries of the city were brought to the attention of the officers and freely utilized. The current publications in

criminology, mental hygiene, and the other social sciences were made available, so as to keep the personnel of the Bureau in touch with the latest developments in these fields.

The members of the staff attended meetings, luncheon discussion groups, and district conferences of social agencies, as well as the National and State Conferences on Social Work and the National and New York State Conferences on Probation. Opportunities were provided for the officers to visit the medical and mental clinics, and to confer with the executives and case supervisors of the social service agencies in the city.

Every possible means for broadening the viewpoint of the probation officer, for deepening his realization of the significance of his work, for arousing his enthusiasm, and for bringing the service of the bureau to the highest possible standard of excellence in social case work with delinquents was utilized.

Social Service Exchange.—Through registration of all cases with the Social Service Exchange, the Bureau, which would otherwise have been conducted as an isolated, self-sufficient organization, was brought into working relationship with the social resources of the City of New York. The Social Service Exchange proved of inestimable value, for more than *sixty per cent* of the cases investigated were found to have been known to other agencies. The information secured therefrom was eagerly utilized. When necessary, cases were also cleared through the Social Service Exchanges of other cities.

The Bureau, therefore, was enabled to secure immediate contact with the social agencies, which possessed an immense amount of information, not only with regard to the particular offender, but also about his family and his heredity. The Court of General Sessions was thus linked with the vast communal forces of the Metropolis. It was due mainly to this active coöperation with the great social agencies of the city that the Bureau was able to do a broad-gauged, thorough-going job.

Clinical Service.—Modern clinical service was made available immediately. All defendants free on bail were subjected to psychiatric, psychological, and physical examinations. In prison cases the detection by the prison psychiatrist or the trained investigation officers of the slightest indication of abnormality resulted in a thorough-going examination. The mental, emotional, and physical status of all delinquents placed on probation was ascertained.

The great number of cases handled by the Bureau soon overtaxed the facilities of the organization clinic. Extra facilities

were made available through the notable coöperation received from the clinics of the city, which devoted several clinic periods a week exclusively to the service of the Bureau.

Criminal Identification and History.—In order to determine accurately whether the defendant under investigation was a recidivist or a first offender, the Bureau, in coöperation with the Police Department, established a fingerprint system which was used to search local records and to secure out-of-town criminal records. The task of investigating the criminal histories of defendants was made a special work of the Bureau, and one officer was assigned exclusively to this duty.

The records of the Police Department, the Courts, and the correctional institutions in New York City were consulted in the course of the ascertainment of previous delinquencies.

To cities employing the Henry System, the fingerprint classifications were telegraphed, and to cities using other systems, the prints were forwarded by mail. Canada, South America, Europe, and the Insular Possessions were communicated with by telegraph and cable, and in a number of instances valuable data was obtained from foreign countries in this manner.

PART II

SOCIAL DIAGNOSIS

In all cases a preliminary investigation was required by the Court before sentence. Immediately after the defendant had been convicted or had pleaded guilty, he was remanded to the City Prison for a period of one week, or longer if necessary, until the preliminary investigation was completed by the Bureau.

The Methodology of Diagnosis.—"A delinquent's character and conduct," states Dr. Burt, "what he now is, and what he has just done, these are the fruit of a long and complicated process of development; and his present predicament, with all its problems and temptations, must be viewed, not as the mere sum of its contemporary constituents, but as the product of converging forces operating cumulatively throughout his life."[2]

Similarly, the social diagnosis, as carried out by the Bureau, constituted not only an exhaustive analysis of the offender's personality and environment, and of all the subjective and

[2] Cyril Burt, "The Young Delinquent."

objective forces which had been instrumental in shaping the final product, but included also a careful consideration of his tendencies and potentialities.

In considering the nature and the motivation of the offense, which constituted a convenient starting point, attention was concentrated upon the inward character of the delinquent act, the etiology of its development, and not merely upon its outward formal classification. The study of the environment surveyed the defendant's whole social setting both morally and materially—the home and neighborhood in which he lived, his friends and associates, his places of amusement and employment, the temptations which had beset him, and the efficacy of parental control and discipline. The detailed study of the personality and character of the defendant by a trained probation officer included psychological, psychiatric, and physical examinations.

After the assembling of the multitudinous facts regarding the delinquent, and their careful analysis and organization, the next task was that of their creative interpretation, so as to construct for the Court an illuminating and well-rounded portrayal of the delinquent's present status and a penetrating analysis of the genesis and unfoldment of his various traits of character and habits of conduct. This exhaustive social diagnosis represented unequivocally the scientific attitude toward the delinquent. Its approach was subjective and scientific as opposed to the objective and legalistic. The social diagnosis served as a bridge over which were carried to the Court the invaluable contributions made available by modern science.

Correctional treatment to meet the needs of the offender and not merely punishment based upon the offense, a greater safeguarding of the interests of the community, and a more effective administration of justice, were the objectives of the diagnostic work of the Bureau.

A definite methodology of diagnosis, adaptable to any problem of delinquency, was followed in each case. No matter how serious or how trivial it might appear, each case was subjected to intensive analysis. To insure satisfactory results, every officer was made responsible for the completion of only *twelve investigations monthly.*

The standard field sheet used in the preliminary investigation, in addition to a comprehensive questionnaire covering 162 items of study, contained a section for addenda and explanations. This field sheet was evolved after an exhaustive analysis

of all similar forms extant, and was so planned that it was adaptable to every situation.

In the diagnostic procedure, the complete study of the offender was according to the following plan:

1. **Diagnosis of Environment** (Environmental Factors).
   A. *Legal History:* Previous Court Record, the Offense, Complainant.
   B. *Social History:* Personal History, Education and Early Life, Family and Neighborhood Conditions, Employment History, Recreation, Habits and Associates, Religious Observances and Training, Mitigating or Aggravating Circumstances of the Offense.

2. **Diagnosis of Personality** (Constitutional Factors).
   Heredity, Physical Condition, Mentality (Capacity, Traits, and Interests), Emotions, Sentiments and Beliefs, Character and Conduct, Manner and Appearance.

3. **Summary of Diagnosis.**
   Etiology of the Maladjustment, The Report to the Court.

1. DIAGNOSIS OF ENVIRONMENT

A. The Legal History.—The first task of the investigation officer was to obtain the complete legal history of the offender. This included the search for the previous court record, a detailed study of the offense, the complainant's version of the story, a consultation with the arresting officer, and an examination of all the data available in the District Attorney's Office.

Previous Court Record.—The initial step in obtaining the legal history of the defendant was to ascertain his previous criminal record. Inquiry at thirteen different places exclusive of out-of-town examination was necessary because of the lack of a central bureau of criminal identification in the City of New York.

The juvenile court history of the offender was also obtained and included in the investigation report to the Court. This was not considered as a part of the criminal record, but was

submitted as social information which the Judges could take into consideration prior to imposing sentence. The Children's Court record provided valuable data relating to the early life and conduct of the defendant.

THE OFFENSE.—An exhaustive study from all available sources, including the police, the complainant, and the District Attorney, was made of the offense. Every possible fact and opinion bearing on the crime was obtained and critically evaluated. The investigation officer examined the court documents of the case, and from them he secured the details of the crime and the names of the arresting officer, the complainant, and the Assistant District Attorney who had prosecuted the case.

In all cases the arresting officer was seen and his statements concerning the important elements of time, place, and circumstances of the crime were secured. His version of the story was extremely important, because often he had caught the offender in the midst or in the culmination of the criminal act. His trained eye had observed the location, situation, and all the details of the scene as well as the manner in which the offender had conducted himself. The accomplices, if such existed, were also interviewed in regard to various aspects of the offense and to determine the measure of culpability.

The District Attorney was invariably consulted, because he had in his possession facts which he had secured from witnesses, police officers, out-of-town persons, and other relevant data not actually required in the court documents. All of this valuable supplementary information was made available to the probation officer. The District Attorney's coöperation and his thoroughgoing analysis and digestion of all the facts of the case proved extremely helpful.

COMPLAINANT.—During the investigation work of the Bureau, the complainant's side of the case was always carefully considered, since it was recognized that he was a citizen whose rights had been violated. His attitude regarding the punishment of the offender was ascertained and reported to the court. In some instances the complainant was only interested in restitution for property damages or losses sustained, but in other cases he recommended the punishment of the offender.

In all contacts with the police, the Assistant District Attorney, and the complainant it was the aim of the Bureau to assist the machinery of justice, to insure the protection of society,

and to arrive at a comprehensive understanding of the offender. Coöperation with the authorities for the purpose of restraining the habitual criminal and of salvaging the accidental delinquent was the keynote of the work of the Bureau.

B. Social History.—Obtaining the legal history of the defendant was merely the initial step in the more comprehensive process of environmental diagnosis. It was only after the investigation officer had completed this step that the essential part of diagnosis could be said to have commenced. From this point the probation officer proceeded to assemble the multitudinous facts of the defendant's personal and social history.

The First Interview.—Realizing that the first interview with the defendant was the point of orientation in the whole investigative process, the officer made every effort to obtain the interest and the confidence of the delinquent in the initial contact.

The probation officer, trained to observe mental deficiency, psychopathic conditions or insanity, was ever on the alert to discover any deviations from the normal. The existence of mental or emotional instability, maladjustment, defect or disease, altered the subsequent course of the social diagnosis.

A friendly relationship having been established, the defendant was much more ready to discuss his life and difficulties. During the interview, the personal history, early life and education of the defendant, his employment record, leisure time activities, family and neighborhood condition, as well as previous criminal experiences were considered. The defendant's attitude toward the offense, his personality, and bearing were all observed by the officer and set down on the field sheet as a part of the permanent record of the investigation.

After the first interview had been completed the investigation proceeded rapidly. From the Social Service Exchange was learned which social agencies were acquainted with the defendant. These agencies were then immediately consulted as to the history of the offender and his family.

Personal History.—The complete personal history of the defendant, which included his age, nationality, civil and marital condition, place of birth, period of residence in the country, and in this and other cities, and other pertinent facts, was ascertained. Immigration records, revealing the status of deportable aliens, were valuable sources of information.

EDUCATION AND EARLY LIFE.—The school history, presenting as it does the graph of the defendant's first reactions to extra-mural environment, furnished not only the record of schools attended, the length of school life, scholarship, attendance and deportment, the grade attained and the age of leaving, but it also revealed the defendant's mentality, classified as superior, normal, or defective. The majority of the offenders investigated by the Bureau were of dull normal mentality. The trend of character formation, evidences of response to disciplinary and educational treatment over a period of years, and warning signs of future delinquencies were brought to light by the study of the school history.

The records of the Board of Education in regard to truancy, the results of mental and physical examinations conducted under school auspices, and the case histories of children's courts, juvenile reformatories, parental schools, and orphanages, also yielded their quota of information.

Frequently, in addition to truancy, records of infractions of school discipline, or dismissals and suspensions were discovered, which indicated clearly the presence of early conflicts or maladjustments. During the analysis of the causes of the maladjustments, the probation officer sought always to discover in what degree they had contributed to the delinquent conduct. The presence of mental deficiency was sought for in case the school record showed that the defendant had been a pupil in an ungraded class, if he had repeatedly failed to be promoted, or if he had been retarded in his school work. The school history also disclosed evidence of early psychopathic traits, endocrine imbalance, and nervous disorders.

From the information obtained through the home visit, further details regarding the early life of the delinquent were ascertained. The occurrence of serious childhood diseases, falls or accidents, disturbing experiences, insults to psycho-sexual evolution, early traits and tendencies, constitutional inferiority, and deviations from normal conduct were carefully noted and analyzed.

The defendant's amusements in childhood and youth, his early associates, habits of indulgence or repression, religious training and observance, and the age at which he first became delinquent also provided invaluable data.

The interpretation of all of the forces and conditions, which

were present in the early life of the offender, led to a deeper understanding of the development of his character and conduct.

FAMILY AND NEIGHBORHOOD.—No other possible source of information could compare with the family in its variety and vividness of detail, in its intimate revelations of innumerable facts in regard to the heredity, past history, environment, and the character and conduct of the defendant. The home visit, if properly conducted, constituted a veritable mine of information.

The attitude of the families of the defendants varied from suspicion and resentment, to confidence and eagerness to discuss this fresh calamity with an understanding personality. Upon the officer's success in allaying the fears, correcting the misconceptions, and enlisting the confidence of the family members, and upon his ability to convince them of his desire to promote the best interests of a delinquent member, depended the comprehensiveness and accuracy of the data obtained during the home visit.

The defendant's heredity, the details of his early life, childhood diseases, unusual events or incidents, his conduct and attitude in the home, his personal habits, and the beginnings and growth of his delinquent career, were ascertained by the skilled investigator during the home visit. The viewpoints of the family members were also obtained relative to the character and temperament of the offender, his progress and conduct in school and in his place of employment, the nature of his reactions, and the reputation of his associates.

In the interpretation of the significance of the social data secured, the effects of the economic and moral conditions of the home upon the health, the character, and the industrial capacities of the offender were considered. The influence of poverty, of overcrowding, of a broken or unhappy home,—which may have resulted from desertion, non-support, divorce, or legal separation—of alcoholism, and the immorality or harshness on the part of the parents upon the personality and conduct of the delinquent, were carefully weighed. Significant was the account of the progress or retrogression of the family in the social or economic scale, and the determination of what qualities or abilities of the family members or what environmental conditions may have influenced this trend. The existence of family solidarity, the efficacy of parental discipline, and the attitude

of the other family members toward the delinquent in his early life, and at the present time, were also considered.

Combined with facts specifically related to the defendant were those concerning the other members of the family, their health, education, occupations, habits and associates, religious affiliations and reputation, the use of leisure time, social relationships, criminal records, and the temperament and character which might be utilized as assets or recognized as liabilities in shaping the future of the defendant.

Since it is the spiritual and moral atmosphere of the home and the neighborhood that is significant, defective discipline, vicious tone, lack of religious training, the gaps and stop-gaps of the family circle, the life, companions, and the customs in the houses and in the streets, were carefully examined to determine the degree of their destructive influence upon the thought and feeling of the offender. The character of the street and neighborhood in which the delinquent lived was sometimes quite as important as the conditions inside the home.

In visits to the homes, as in interviews with defendants, the Bureau was never dependent on casual or professional interpreters. The staff included officers fluent in Italian, Spanish, French and German, and in Lithuanian, Russian and Slavic dialects. It was a rare instance when anyone could not be understood through the medium of these linguists.

Employment History.—The employment history of the offender was examined to ascertain in the first place whether he had been steadily employed. In every case of unemployment, the delinquent's means of subsistence was definitely established. If the defendant had been engaged in some legitimate type of work, the places of employment were visited and the employers interviewed. In this way the officer was able to discover the types of work, the reliability, skill and industry of the defendant and the reputation which he had enjoyed at his places of employment. The nature of the work, whether permanent or temporary, seasonal, full-time or part-time, skilled or unskilled, was also determined.

During the course of the inquiry, not only were the employers consulted, but many other sources of information were utilized; fellow workmen, labor union officials, police officers, Workmen's Compensation Bureau, Army and Navy records, seamen's papers, and when necessary, financial rating houses, banks, credit and protective associations, bonding houses, and immi-

gration records. Through these sources were revealed the nature of the defendant's labor affiliations, the occurrence of industrial accidents or injuries, the length of Army or Navy service, whether domestic or foreign and whether the discharge was honorable or dishonorable. From the seamen's papers it was learned whether the defendant was in the country legally or whether he was a deserter from a foreign ship while in an American port, and was therefore liable to deportation.

The careers of defendants who had been engaged in dishonest business and financial operations, and whose affairs were complicated by the claims of creditors or bonding houses and protective associations, were given special consideration. Dishonest employees also formed a subject of careful study. The immigration records were searched in order to determine the length of the defendant's stay in this country and to compare this with the time covered by the employment history. In many cases the existence of time not accounted for by the employment record was discovered, and the defendant was required to explain such lapses.

Although serious offenses were rarely committed during the hours of work, nevertheless, the remoter causes of delinquency often lay hidden in the failures, grievances, and discontent arising from the defendant's experiences at his place of employment. Such factors as vocational maladjustments resulting from work unsuited to the training, strength, or ability of the worker, the depressing effect of employment in blind alley jobs, and the vicious influence of fellow workers with loose moral codes, played some part in provoking the delinquencies of the defendant. Sometimes the offender's record showed frequent changes in positions, the reasons for which could not be clearly explained by him, for he was unable to interpret the dissatisfaction and the vague unrest which had prompted his actions.

Many of the unemployed offenders were out of work because they had no conception of how to obtain proper employment. Often the offenders were untrained youths who had little or nothing to offer in the economic struggle, and who, therefore, found it impossible to adjust themselves with any degree of permanency, and consequently drifted aimlessly from one short-time job to another, earning little and constantly experiencing discouragement. It was during the hours of their leisure and unemployed periods that they often fell in with evil associates whose suggestions as to dishonest means of subsistence were

eventually accepted and acted upon. Actual want was rarely the occasion for theft or robbery, for few of the offenders were in dire need of food, clothing or shelter.

Occasionally, the offender's reaction to unemployment was conditioned to a large extent by the attitude of his parents, both of whom might be over-indulgent, unsympathetic or conflicting in their attitude. In cases where the mother thought that her son needed the morning hours for sleep and the father, on the other hand, threatened to turn him out of doors unless he obtained a job immediately, the delinquent's attitude varied from confusion to resentment in the presence of such cross purposes.

From the fact that a fairly large proportion, 48.7 per cent of the offenders were unemployed at the time of their arrest for periods varying from a day to several months, one must conclude that unemployment, industrial incompetence, and temporary employment constituted serious untoward circumstances in the life of the delinquent.

Recreation, Habits and Associates.—The study of the delinquent's environment did not end with the study of the home. Influences beyond the circle of his family life which affected him were, at times, the sole factors in his delinquency. As a rule such influences were harder to ascertain and more frequently overlooked. They fell into three main groups; first, those connected with the delinquent's daily work; secondly, those connected with his leisure time; and thirdly, those exercised by his companions and friends, whether work-fellows or play-fellows. Of the three the last were the most powerful and were the first to need consideration.

A careful inquiry, therefore, into the means of recreation, the habits and associates of the offender, often afforded an insight into the causes of the delinquency and revelations of the character and personality. Since delinquency is nearly always the expression of a set of habits, the majority of offenders had not arrived at the brink of crime accidentally or by yielding suddenly to an unknown temptation. Often in his spare time activities, which the defendant frequently endeavored to conceal from the investigation officer, were discovered the inciting temptations and the ultimate provocations for the offense. The investigation determined whether and to what extent the offender was influenced by association with bad companions, disorderly groups and criminal gangs or by frequenting disrepu-

table clubs, dance-halls, pool-rooms, gambling places and speakeasies.

The majority of the delinquents worked up their anti-social impulses gregariously; that is, their criminal offenses were usually committed in the company of their associates. And yet, a closer examination of the situation disclosed the fact that the delinquent had an inner predisposing tendency towards undesirable associations. The very fact that he preferred this kind of comradeship implied a condition of mind that in turn required an explanation and called for closer scrutiny.

On the other hand, it was very important to discover to what extent the defendant engaged in wholesome amusements and leisure time activities and what, if any, desirable comradeship was present.

From interviews with friends and companions was obtained information as to the conduct and moral code of the defendant, his sociability, "squareness," self-control, his desirable traits of character, and any oddities and aberrations of conduct.

Furthermore, a study of the recreational life of the defendant over a period of time revealed upward or downward tendencies in the formation of his character. Since in the selection of his leisure-time activities was evidenced the element of free choice and an indication of his natural tendencies and inclinations, herein as in no other aspect of his life was revealed the genuine character and personality of the offender.

The defendant's habits in regard to alcohol, drugs, and sex were ascertained and medical opinion thereon was secured.

Religious Training and Observances.—Careful inquiries were made as to the religious training and observances of the delinquent, whether they had ever been an influence, and particularly when and why religion ceased to be a positive factor in the development of his life and conduct.

His church attendance, adherence to religious duties, the strength or weakness of his spiritual beliefs, his moral knowledge, and their influence on his adult life, were carefully noted. In the majority of instances, there had been little religious training, and religious observances were irregular or had been abandoned. Without this stabilizing influence, character deterioration frequently followed.

Mitigating or Aggravating Circumstances.—During the course of the diagnosis, a searching examination of the mitigating or aggravating circumstances of the various groups of

offenses, whether those of acquisitiveness, pugnacity, or sex, was made by the investigation officer. The intent of the offender and such factors as premeditation, deliberation, instigation of associates, impulsiveness or chance, were carefully determined. The coöperation of accomplices, whether they were occasional or deliberately organized for criminal activity, and whether the defendant rendered the police assistance subsequent to his arrest were also considered.

In crimes of acquisitiveness, such details as the total number of thefts or robberies committed, the period over which these activities extended, and the methods used in their commission proved illuminating. Significant also were such factors as the extent of injury to the complainant, the manner in which the stolen goods were disposed of, the profits attained thereby and their disposition, whether the property could be recovered or restitution made, and whether the defendant was willing to aid in disclosing the identity of confederates and the receiver of the stolen property.

In considering crimes of pugnacity, the exact nature and extent of the complainant's injuries, the time lost from work, the kind of weapon used, and what constituted the motivation were some of the most significant factors ascertained.

In examining the circumstances of sex offenses, points of inquiry were the age, mental condition and previous reputation of the complainant, existence of pregnancy or social diseases, disparity of race or color, and the defendant's willingness to provide for the child.

Not only were the above objective factors considered, but also those weaknesses and faults of character and personality, such as recklessness, excessive egotism, pathological lying, lack of emotional stability, poor physical stamina, nervous debilitation due to excessive use of alcohol or drugs, and other constitutional or personality factors, which may have weighed heavily as untoward circumstances.

In all types of offenses, the officer, by ascertaining the measure of culpability of the defendant, obtained a clearer knowledge of the nature and potentialities of the offender.

2. DIAGNOSIS OF PERSONALITY

During the process of diagnosis, the efforts of the investigation officer were directed towards a deeper, a fuller, and a more searching insight into the character and personality of the

delinquent. The whole constitution of the individual's personality was considered—his heredity, physical condition, mentality, emotions, sentiments and beliefs, character, free action and behavior, and his manner and appearance. In the summary of personality these qualities and conditions were examined in relation to the crucial problem of conduct.

In achieving this composite portraiture of personality, the officer's trained powers of observation and all the available resources of modern science were utilized. From the psychiatric, psychological, and medical clinics, from the teacher, the employer, the family, neighbors, priests, and others was obtained the great variety of information which served to fill in the details and furnished the background for the personality portrait. As Adolf Meyer has said in his wisdom, "It is in each man's social relationships that his mental history is largely written."

Finally, it devolved upon the probation officer to assemble and classify this data, and arrive at the final estimate of the delinquent's character and personality.

HEREDITY.—Any thorough social inquiry must attempt to discover the influences which were operative long before the individual was born. In every case the diagnosis included a review of the racial stock of the offender. In recording the family history, the following data was obtained relative to the defendant's paternal and maternal ancestry and the siblings: the place of birth, the number of years in this country, the general health and intelligence, education and occupation, and the existence of criminal records. Information was also secured as to the occurrence of chronic and exhausting diseases, such as tuberculosis, heart disease, syphilis, cancer, or kidney trouble, as well as insanity, epilepsy, feeble-mindedness, alcoholism, drug addiction, paralysis, chorea, convulsions, or marked neurotic tendencies, and their possible influence on the character and conduct of the offender was considered.

It was only in rare instances that criminal records of the defendant's parents, brothers and sisters, or other relatives were discovered. The scarcity of such evidence indicated quite clearly that the defendants did not inherit any criminal instincts from their parents, and even when criminality existed, no causative connection was discovered. Occasionally the presence of various inherited constitutional weaknesses, both of a mental and physical nature, was observed, which may have exercised

an indirect effect in predisposing the defendant toward crime. It could not be said, however, that they had exercised an inescapable propulsion toward anti-social conduct.

PHYSICAL CONDITION.—Physical examinations were conducted in order to determine the exact status of the physical condition of defendants. More than 60 per cent of those examined were found free of any serious diseases or defects, but in the remaining 40 per cent there was revealed the presence of organic defects or diseases, functional derangements, nervous afflictions or disorders, or the existence of defects of the special sense organs. The influence of adolescence and growth, of debilitating conditions, glandular deficiencies, social diseases, chronic alcoholism, and drug addiction or behavior and conduct was considered. Nervous instability and physical discomfort, from sources sometimes trifling, were apt to aggravate general nervous irritability and in particular to increase impulsiveness.

The delinquent as such conformed to no definite physical type and constitutional inferiority as a cause of crime was a negligible factor.

MENTALITY (CAPACITY, TRAITS AND INTERESTS).—A knowledge of the mental capacity of the offender was a vital point of the investigation. A psychological examination revealing the intelligence quotient of defendants permitted their classification as superior, average, retarded, or defective mentally. The diagnosis of the mentally defective, of course, differed radically from that of a normal or superior individual.

A study of the defendant's general information and experience, his training, interests, and aptitudes, combined with his mental traits, such as the quality of memory processes, the nature of his imaginative powers, reasoning abilities, alertness, power of judgment, and constructive planning provided the investigating officer with significant information. Often in the probing of mental attitude and reasoning processes, there was revealed the presence of anti-social beliefs or mental conflicts which constituted the basis for the delinquent conduct.

The majority of the defendants were of dull normal mentality, but in several instances individuals of superior mentality were found. Twenty-five per cent of the defendants investigated were found to be mentally defective. A majority of these were rated as high-grade morons, and a relatively small number bordered on imbecility. Of the mental defectives, one-eighth were

found to be non-committable types who might, under adequate supervision, maintain themselves satisfactorily in the community, and they were placed on probation. Mental defectives constituted 15 per cent of the number of probationers under the supervision of the Bureau.

The mentally defective require specialized, individualized treatment perhaps more urgently than their normal fellows, and in many instances probation offered the only satisfactory rehabilitative measures for them. Those, however, whose habits were permanently fixed and whose anti-social attitude was deeply rooted, needed institutional care and correctional training to equip them for communal life. Individuals of this type were invariably committed to the State Institution for Defective Delinquents, at Napanoch, New York.

EMOTIONS, SENTIMENTS, AND BELIEFS.—It was generally more difficult to determine the defendant's emotional stability and tendencies than to ascertain his intelligence. Intelligence is relatively constant, but emotions are changeable, hard to discern, and still harder to measure. However, the reports from the psychiatric clinics furnished very valuable data. In the majority of cases, normalcy was indicated and it was comparatively rare to discover defendants suffering from pathological conditions. The functioning of such instincts as sex, combativeness, acquisitiveness, self-assertiveness, fear, wandering, and the gregarious impulse was carefully noted.

The defendant's attitudes and reactions towards the various personalities and situations in his life were also observed. His affection or hatred for various relatives or friends, employers, teachers, or other persons with whom he was in daily or occasional contact was ascertained. Sometimes these antagonisms were directed toward different forms of work, against the school, church, laws, or constituted authority. The diagnosis indicated also whether the defendant was of the introvert or the extrovert type, whether he was excessively suggestible or stolidly phlegmatic, whether his reaction to situations was complicated by inferiority or superiority complexes, and whether his beliefs were conservative or radical.

Offenders who evidenced mental aberration were committed to Bellevue Hospital for observation or were examined by a commission in lunacy. In the few cases where major psychoses were found—aggregating less than 1 per cent of the cases investigated—the individuals were invariably committed to the State

Hospital for the Criminal Insane, at Matteawan. However, a greater number of minor aberrations, such as hysteria, derangements from bad sex habits, and psychoses and deterioration from the excessive use of alcohol and drugs were encountered. The psychopath was found among those of normal mentality as well as among those who were mentally deficient.

The problem in general, however, was that of the mentally normal but badly trained youth out of adjustment with his environment or influenced by vicious associates. From a searching analysis of the offender's emotional status, sentiments, and beliefs, a penetrating understanding of the etiology of the maladjustment was developed.

To know why the normal delinquent commits a crime is to know his conception of right and wrong. Every normal person and many who are not normal have certain beliefs and sentiments which govern their actions or which they submerge in selfish obsessions. By arriving at a tangible knowledge of the offender's emotions, sentiments, and beliefs, the officer was able to gain some understanding of his character composition.

Extremely significant was the attitude of the offender towards the offense and his anti-social conduct. It revealed whether or not he was a confirmed and hardened offender, or whether he was really a malleable personality who could be directed and readjusted to a course of normal, law-abiding conduct. A sullen, defiant, suspicious, and resentful attitude on the part of the offender certainly did not offer the same promises of regeneration as a penitent, open-minded, and coöperative outlook.

Character and Conduct.—Dr. Downey states, "Character may be thought of as the organization of native and acquired traits effected through inner subjective factors and outer objective ones."[3] Since delinquency is usually the expression of faulty character, the analysis of character and conduct in terms of social interaction was carried on with the utmost care. The character study included the consideration of mental characteristics, temperament, attitude toward constituted authority, sociality, special aptitudes and interests, unique and pathological traits, temperance, sense of responsibility, honesty, self-control, combativeness and inclinations.

The behavior and conduct of the offender in relation to home, school, work, play, church, companions, and the community also

[3] June E. Downey, "Will-Temperament and Its Testing."

furnished an insight into his character and personality. Every effort was made to distinguish the thought processes, motives, tendencies, instincts, and impulses of the offender so as to understand his conduct.

Basic drives and urges, the intellect, the will, and all the subjective factors of conduct were examined in order to evaluate the character, personal behavior patterns, group participations, social type and philosophy of life of the offender.[4]

MANNER AND APPEARANCE.—One of the sources most accessible to the probation officer in diagnosing personality was that of the manner and appearance of the offender. Carriage, gait, expression of face, gestures, position while standing or sitting, as well as his personal cleanliness and neatness of dress, were observed. Whether he was affected or sincere, aggressive or humble, boastful or modest, enthusiastic or apathetic, forceful or weak, and whether he was dignified, self-conscious, sullen, timid, irritable, or ingratiating, provided valuable indices to the offender's personality.

3. SUMMARY OF DIAGNOSIS

ETIOLOGY OF THE MALADJUSTMENT.—Delinquency is rarely an isolated act; it is genetic. It is a resultant of a series of causative factors which have been slowly and steadily developing to the point of the overt act. In the consideration, therefore, of this resultant, one must inevitably return to the point of ultimate origin and search for the "causa causae."

Subjectively, in the defendant's beliefs, his habits of thought, his moral concepts, his social tendencies, mental conflicts or interests, his mental defects, emotional patterns, stability or derangement, the presence of syphilitic, alcoholic, or psychopathic deteriorations, and, *objectively,* in the broken home, incompetent or indifferent parents, institutional rearing, harmful neighborhood influences, unwholesome recreation, long periods of idleness, absence of proper religious training, poverty, evil associates, and defective education and discipline—in short, in all the factors which may have entered into the development of the delinquent; in these were sought causation. The power of election, the operation of the free will with its attendant gradations of responsibility, was a subject of the

[4] E. W. Burgess, "The American Journal of Sociology," May, 1923.

utmost importance. No superficial explanation of "impulse" uninterpreted was allowed.

A study of causation as a guide to understanding was the scientific purpose of every investigation.

THE REPORT TO THE COURT.—The social diagnosis provided the Court with a complete picture of the *offender* and the *offense*. It furnished a sound basis for the disposition of the problem and it indicated the treatment required, whether the defendant was to be placed on probation or committed to a penal, reformative, or custodial institution. The ratio of cases placed on probation in relation to those committed to institutions was as one to four.

The report of the Court, which was accurately, completely, fairly and concisely written, was a comprehensive summary of the pertinent facts of the investigation. Uniform and orderly in presentation, it was neatly typed in triplicate and averaged about three pages in length. The report was submitted to the judge in chambers, twenty-four hours in advance of the day of sentence, and the decisions of the Court were largely based upon its findings. A carbon copy was sent to the institution to which the defendant was committed.

The correctional education of offenders, which aims to supply early deficiencies of training or environment and to equip the individual to live normally in the community, was, as a result of this coöperation, more readily adapted to the needs of the individual.

Institutions to which the defendants were subsequently transferred, and the parole authorities, also had available the same comprehensive social and criminal history as a basis for their constructive work.

4. SOME RESULTS AND FINDINGS

SELECTIVITY OF MATERIAL.—The direct result of the comprehensive investigation employed by the Bureau was the selection for probationary treatment of only the most suitable human material. No looseness or sentimentalism was tolerated, and no one was placed on probation merely to be given another chance. Health, intelligence, mental balance, industrial capacity, temperament, habits, social attitude, and group relationships were all considered in determining whether or not the delinquent could be adjusted by the probationary process. The confirmed

alcoholic, the drug addict, and the habitual criminal were not considered suitable for probationary treatment. The mental defective in whom anti-social habits of thought had not become fixed was not excluded from consideration as a subject for rehabilitative measures in the community.

Of the 2,976 offenders investigated by the Bureau during twenty months, only 19 per cent were placed on probation.

Offenses and Ages of Delinquents.—From January 1st, 1925, to September 1st, 1926, the Bureau conducted 2,976 preliminary investigations. Of this number, 2,889 or 97 per cent were male offenders, and 87 or 3 per cent were female offenders.

Crimes of acquisitiveness and violation of property rights predominated, for they included 78.2 per cent of all the cases. Offenses of pugnacity totalled 15.2 per cent. Crimes against sex amounted to 5.5 per cent, and the offenses against public order comprised the remaining 1.1 per cent.

One of the most significant facts revealed in the statistical analysis was that 43.5 per cent of those charged with felonies were between the ages of 16 and 21. Defendants between 22 and 25 years of age aggregated 19.1 per cent, so that the total number of delinquents under 25 constituted 62.6 per cent. Defendants from 26 to 30 years of age totalled 17 per cent, while those over 30 years made up the remaining 20.4 per cent.

Thus it was discovered that the problem of crime was almost wholly a problem of youth. No other condition could more conclusively justify the existence of the probation service.

Recidivism.—Of the men offenders 52.7 per cent were arraigned for the first time in any adult court. Of this number, 8.2 per cent had been previously arraigned in the Children's Court, whereas 44.5 per cent had never been arrested previously, nor arraigned in juvenile or other courts.

Seventy-five per cent of the women offenders were arraigned for the first time in any adult court. None of the women offenders had a juvenile court record.

Of the men offenders 17.7 per cent were arraigned in an adult court for the second time, 9.8 per cent were third offenders, and 19.8 per cent had been arraigned three or more times previously. Of the women offenders 8.3 per cent were second offenders and 16.7 per cent had been arraigned two or more times previously.

Thus, the problem of the Court in the majority of the cases was the problem of the first offender.

BROKEN HOMES.—Because of the absence of either or both parents, 1,406 or 47.6 per cent of the total number of defendants investigated were products of broken homes. One hundred and nineteen or 8.4 per cent of this number had been cared for in orphanages or similar institutions during varying periods of time. The remainder, 1,287, comprising 91.6 per cent of the number, had been cared for by the remaining parent (usually the mother), or other relatives.

The removal of the missing parent, generally the father, was due to death, separation or divorce, desertion, or hospital or institutional confinement (occasionally imprisonment), and it was upon the mother, therefore, that the care of the children devolved in nearly all instances. Forced to assume the rôle of bread-winner, her duties as home-maker were necessarily neglected and her absence from the home made it impossible for her to train and direct the activities of her children. Even during the evening hours most of her time had to be devoted to the physical details of housekeeping and little time or energy was available for home-making in its larger sense.

Because such a large proportion of offenders were products of broken homes it is reasonable to conclude that this condition constituted an important contributing factor in their delinquent careers.

SCHOOLING OF DELINQUENTS.—From the information obtained in regard to school attendance, it did not appear that the lack of schooling could be said to be a very large factor in delinquency, for 2,050, or 68.8 per cent of the delinquents had attended school for more than 5 years; 508 or 17 per cent from two to five years, and only 418 or 14.2 per cent had had two years or less of schooling.

Quite a large proportion, 264 or 8.8 per cent, had attended high school, and 34, or 1.1 per cent, had attended college. The greatest lack was that of vocational training for those who were unable to respond to further academic education or whose school career was interrupted for other reasons, leaving them ill-equipped for the struggle of life. The untrained, ill-directed youth was an important element in the grist of the Court of General Sessions.

The school records further showed that 1,488 or 50 per cent displayed normal characteristics in their school work, whereas 625 or 21 per cent were truants, and 869 or 29.2 per cent were backward in their work. The fact that 50 per cent or one-half of the delinquents were either truant or backward in their school work betrayed the presence of early conflicts and maladjustments, irrespective of whether the fault lay with the school or with the child. Such conflicts constituted early symptoms, warning signals of future trouble, which had been overlooked or misinterpreted, or because of inadequate insight or lack of facilities had failed to receive proper adjustment.

Religious Observances.—That church attendance and religious observances were generally slighted by the offender is proved by the fact that 2,005 or 67.4 per cent of the total were either irregular in their observances or had no contact whatever with religious organizations. The remaining 971, or 32.6 per cent were regular in their church attendance.

Employment Record of Delinquents.—Of the 2,976 cases, 1,529 or 51.3 per cent were found to be employed; 446 or 29.1 per cent were skilled workmen and 1,183 or 70.9 per cent of the total were unskilled. The balance, 1,447 or 48.7 per cent were classified as unemployed at the time of the investigation. The relatively large proportion of unemployed and unskilled workers indicated that unemployment and low grade employment in a large number of cases exercised a contributory influence in the outbreak of delinquency.

Marital Status.—Because of the presence of such a large proportion of young offenders, naturally the percentage of delinquents who were single was very large, comprising 2,053 or 69 per cent of the total. Of the 923 or 31 per cent who were married, 359 or 39 per cent had no children; 301 or 32.6 per cent had one child; and the remainder, 263 or 28.4 per cent, had two or more children, eight being the largest number recorded for any one family.

Crime, a Problem of Youth.—An examination of the social factors present in the lives of the delinquents indicates that these anti-social outbreaks represent essentially the conflicts and misdirected energies of youth. Neglected and improperly trained at home, maladjusted at school, lacking in religious

instruction, unskilled vocationally and ignorant of the industrial possibilities of the city, bewildered by the conflicting activities and temptations of a huge metropolis, and lured by visions of speedy and easy affluence, the offenders had applied their youthful energies to daring and unlawful activities.

PART III

THE PROCESS OF ADJUSTMENT

The supervision of probationers as conceived by the Bureau constituted a process of intensive re-education and adjustment. The probationer who had deliberately chosen to commit a delinquent act, the offender whose hereditary and constitutional weaknesses had decreased his resistance to evil influences, as well as the delinquent in whose life the faulty functioning of the great social forces of the family, the school, the church, or the community, had resulted in mental conflicts and the breakdown of normal conduct, required the formulation and carrying into effect of a vital and active process of enlightened re-education. The aim of the Bureau was to adjust the individual within himself and to all the points of social contact, and to eliminate or neutralize physical, mental, emotional and social handicaps by constructive treatment.

In the supervision of the probationers, the Bureau, in accordance with the standards of case work maintained by the finest type of social agencies, was guided by two basic principles:

First: That the process of adjustment or the supervisory treatment must be carefully individualized and fitted to meet the needs of each delinquent.

Second: That the object of every phase of the process must be the permanent rehabilitation of the delinquent.

The Bureau squarely accepted the responsibility for the permanent restoration of the probationer in the community as a normal citizen. Success or failure in the attainment of this objective was to be judged by the post-probation results.

The old laissez-faire type of probation, "letting offenders off easy," "forbidding and ordering," loose and lifeless supervision, was replaced by intensive and constructive case work and a process of educational guidance through skillful super-

vision. The probation practice was developed into an intimate personal relationship between the probationer and his officer, wherein the latter continually brought home to his charge the realization of the vital, positive, adjusting force of probation. Every helpful social agency was called into play so as to surround the individual with a net-work of favorable influences, to assist him to attain and maintain normal habits of life.

Basically, the task of adjustment was to break down the social isolation of the probationer, to divert his anti-social tendencies into channels of orderly behavior, to direct a redistribution of energy and interest, to return him to the common path of normal men, and to bring about socialization within himself and the community.

The process of adjustment as conceived and carried out by the Bureau included the following elements:

1. **FORMULATION OF PLAN OF ADJUSTMENT**
   Insight into Personality and Environment, Summary of Problems Presented, Creative Interpretation of the Facts, Formulation of Plan.
2. **ACCEPTANCE OF PLAN BY PROBATIONER**
   Gaining Confidence and Respect, Arousing Admiration, Realization of Problems and Motives by Probationer, Removal of Anti-Social Attitude, New Visions and Goals, Transference of Objectives, Trial and Error Permitted, Acceptance of Plan by Probationer.
3. **SOCIAL ADJUSTMENT**
   Development of Social Relationships, Family Adjustment, Neighborhood Improvement, Financial Independence (Right Job, Budgeting and Thrift), Constructive Recreation, Restoration of Social Status.
4. **PERSONALITY DEVELOPMENT**
   Holding up Ideal of Self, Physical Rehabilitation, Discipline and Self-Control, Character Building, Emotional Adjustment, Academic and Vocational Education, New Resources and Outlets, Regaining Self Respect, Social Consciousness, Appearance and Manner, Religious Development, Long Look Ahead.
5. **TENDENCIES AVOIDED**
   Subtle Antagonisms, Too Close Supervision, Impatience with Relapses, Objective Case Work.

1. FORMULATION OF PLAN OF ADJUSTMENT

INSIGHT BY SUPERVISION OFFICER.—The diagnosis of the environment and personality of the probationer did not cease with the completion of the preliminary investigation. It was a continuous process and was carried on consistently and intensively during the entire probationary period. Every contact with the probationer or with persons who had relations with the probationer was looked upon as an opportunity for gaining further insight into his character and personality.

After the supervision officer had been assigned a new client, he proceeded to examine all of the records and papers in regard to the case, which were available in the files of the Bureau. During the first contact with the probationer, the officer explained to him the purposes and conditions of probation, at the same time attempting to establish a preliminary basis of understanding and friendship. Thereafter, he consulted the officer who made the investigation, the Case Supervisor, and the physician, psychologist, and psychiatrist who had made the mental and physical examinations. Furthermore, in case the probationer and his family had had contacts with any social agencies, these too were consulted. The officer also made a visit to the home or place of residence of the probationer, talked with his family, friends, and visited his place of employment, all with a view of obtaining from first hand knowledge a definite conception of his client.

Not until the supervision officer had personally grasped all the factors of the problem of the probationer, including both the liabilities and assets of his character and environment, was he prepared to formulate an effective plan of treatment.

FORMULATION OF PLAN.—A careful summary of all the problems presented, and all the factors of causation involved, was made preliminary to the formulation of the program of adjustment. In the development of the case plan consideration was given, not only to the weaknesses in the probationer's personality and the untoward circumstances in his environment, but to those sound and positive qualities and factors which might serve as sturdy pillars upon which to build the desired superstructure of normal conduct and character.

The formulation of a definite and constructive plan of treatment was a task which required not only penetrating insight, but most of all, creative imagination.

The supervision officer studied the life of the probationer until he comprehended the nature of its development. It was then his duty to consider the individual not in the light of what he had been, but what he might be in the future. A constructive outlook was imperative, a belief in the potentialities of the human personality, and the faith and optimism of the builder. It was upon this basis that the plan of adjustment came into existence, the details of which were carefully weighed by the supervision officer in conference with the probationer and the Case Supervisor.

The plan of adjustment, although comprehensive and complete in every detail, had to be flexible enough to meet the ever-changing needs and cumulative progress of the probationer. The officer was constantly on the alert to make any adaptations which might prove necessary, and all plans were subject to revision at least monthly as part of the regular procedure.

2. ACCEPTANCE OF PLAN BY PROBATIONER

No plan of adjustment could be ultimately successful unless the probationer was convinced of its desirability and value, and came to adopt it as his own. Sometimes the plan was initiated by the probationer, and in other instances he was persuaded by a skillful probation officer to accept wholeheartedly the latter's carefully thought-out plan, and make it part and parcel of his mental and emotional makeup. Sometimes probationers came to an immediate realization of the value of the plan of treatment presented by the officer, and sincerely accepted it; again the final acceptance was had only through a slow, gradual process.

Gaining Confidence and Admiration.—The first task of the officer in this aspect of the treatment was that of gaining the confidence and admiration of the probationer. This required insight, the ability to appreciate the probationer's point of view, skill, a great capacity for friendship, and the consecration of personality to the application of scientific knowledge. It presupposed an intense personal interest in the probationer, and a sincere desire to help him, and demanded an infinite amount of faith, tolerance, tact and patience. This relationship, when once established and carefully directed, was often the turning point in the reconstruction process. Without it the case work would have been practically futile, or at least materially handicapped.

A feeling of genuine admiration had to be aroused to insure the constructive imitation by the probationer of the character, habits, and manners of the officer. In his essay, "Heroes and Hero-Worship," Carlyle eulogizes this quality—"No nobler feeling than admiration for one higher than himself dwells in the breast of man," he states. The probation officer, in order to accomplish the best results had to be virtually, for a time at least, a hero to his charge.

Insight by the Probationer.—The next step was to assist the delinquent to gain insight into his own motives and problems of conduct. Few of the probationers were able to take an objective view of their own behavior. They could not see themselves as problems. They did not understand the causes or appreciate the seriousness of their actions. However, when they were enabled to understand the motives and the significance of their acts, they experienced a feeling of relief, and evidenced an earnest desire to begin over again, and an eager willingness to coöperate with the probation officer. It was only by realizing the basic causes of their dilemma that the probationers could attain that sense of penitence and desire to "turn about face," which made improvement possible and assured.

The first serious problem which each probationer had to face was to "know himself." Not until the probationer had gained a realization of his own situation could the spirit of true coöperation between him and the officer develop. Coöperation depended not only upon confidence in the officer, but upon the degree of insight which the probationer had with reference to his own problems and motives. The gains from insight are explained by what Freud terms the "therapeutic value of consciousness." The probationer was thus enabled to adjust himself to the plan of treatment and to enter into new social relationships. An added source of strength to the probationer was the knowledge that the probation officer understood his problems and experiences, and yet did not condemn him.

Removal of Anti-Social Attitude.—The probationer, as a violator of the social rules and regulations, had incurred the displeasure of the body politic and had been subjected to a certain amount of disgrace and ignominy. Usually the probationer for some time had maintained an attitude of hostility toward the behavior codes of society, and at the outset of probation he was smarting under a sense of disgrace, isolation, and resentment

toward the community. Consequently, it was the task of the officer to break down this feeling of isolation, to remove this resentment and anti-social attitude, and to reëstablish the feeling of self-respect, the sense of personal worth and the desire to merit and obtain the approbation of his associates and various social groups. Among his family and relatives, friends and associates, at his place of employment and at church, the wholesome feeling of kinship, confidence, and friendliness had to be restored. At every point of social contact this feeling of isolation and resentment needed to be removed.

The probation officer undertook the responsibility of inculcating in the probationer the right attitude of mind toward himself, toward his conduct and toward society. This meant the end of the feeling of conflict and of being at odds with the social system. When this had been accomplished, new energy, new enthusiasm, had been set free, and the resultant feeling of security and peace gave the probationer renewed power and incentive to alter his conduct.

New Visions and Goals.—The officer, in his contacts and conversations with the probationer, unfolded a new vision of life's possibilities, ideals and activities, and conceptions of enduring and constructive satisfactions, which the client was gradually persuaded to accept. One after the other, the officer brought about a transference of the objectives of the probationer's life, and slowly his lower behavior concepts were replaced by higher and more constructive goals. The officer was the wise philosopher, guide and friend, who pointed out healthy mental interests, wholesome channels of expression, and who interpreted for his client the finer things of life in terms comprehensible and acceptable to him.

Trial and Error Permitted.—During the course of the supervision, the officer could not be impatient and could not demand perfect coöperation at each step of the way. Even during the period when the probationer was wrestling with the problem of understanding and accepting the plan of adjustment a certain measure of trial and error in the less serious aspects of conduct was tolerated. Occasionally the probationer would insist upon carrying out his own plans. In such cases it was advisable for the officer to permit him to test out his own ideas, while standing by alert to render assistance at a critical juncture. If the probationer discovered that his own ideas

achieved no desirable end, and in fact often resulted in serious trouble and disappointment, he invariably turned to the probation officer as a source of refuge and help and thereafter the probation officer was assured of coöperation of a cordial and permanent nature.

Acceptance of Plan.—In some cases the external conduct and behavior of the probationer might appear to indicate his acceptance of the plan of adjustment, whereas internally he might be resisting it vigorously and constantly. As far as possible the interest, enthusiasm and emotional acquiescence of the probationer was obtained, so that he might consecrate his energies wholeheartedly to the plan of adjustment.

By degrees, through the probation officer's skillful guidance, patience, and constructive effort, the probationer came to recognize the worth of the program of development, to accept it unreservedly, and finally to incorporate it within himself as an integral and vital part of his life.

3. SOCIAL ADJUSTMENT

Development of Social Relationships.—The ever-present problem confronting the supervision officer was that of reconstructing the old social relationships, if they possessed any elements of promise, and of introducing new activities. Thus for example, the family situation was an important aspect of social relationship which often demanded attention and adjustment. Neighborhood conditions, the employment factor, religious observances, recreational facilities, as well as associates and other contacts also frequently required similar consideration. In case these various points of social contact did not offer promising possibilities, changes of environment were effected and new relationships, new groups and individuals were brought into play.

Family Adjustment.—The first concrete problem of social adjustment facing the officer was that of harmonizing the family relationships. During the entire supervisory work of the Bureau it was realized that the family and not the individual must be the unit of treatment. Little social improvement could be expected of the delinquent unless his father, mother, brothers and sisters, and other relatives could be persuaded to forget their resentments and disappointments regarding the offender who had brought disgrace to their good name. Inharmonious rela-

tionships of all kinds, and undesirable conditions had to be removed as a first step in this process. Every method employed, every service furnished by the modern family welfare organizations in the adjustment of family relations was made an integral part of the case work of the Bureau.

A greater proportion of the probationers lived with their families. About two-thirds of them were single, and one-third were married. Of those married, about one-third had children, limited in most instances to two or three. That such a relatively small proportion were married was due to the fact that 79.6 per cent of the probationers were under 30 years of age. Less than 10 per cent were separated from their parents or wives and lived in furnished rooms.

Although most of the probationers' families were self-supporting and enjoyed the good opinion of their neighbors, many of them were confronted with perplexing problems of all sorts. Whether they coöperated wholeheartedly from the very beginning or only after a gradual process of establishing confidence, the families invariably turned to the supervision officer as a skilled advisor and friend.

Thus, for example, one of the most frequent problems was how could the parents exercise effective supervision and control over the children? With the assistance of the officer, many such problems of discipline were successfully solved. Health problems, involving tuberculosis, undernourishment, or mental defects, which required diagnosis, treatment, or possible institutional care of the afflicted members of the family, were frequently met with and attended to by the officer.

In adjusting important problems involving the mistress of the home, such as an excessive burden of work, necessity for managing on an insufficient income, the efficient and economic purchase of good food and clothing, proper diet and cleanliness, the assistance of home educators of coöperating social agencies was enlisted.

Family plans for home ownership, purchasing new furniture, establishing the father and son in business, and safe financial investments were worked out in collaboration with the probation officer. Each member of the family also was encouraged to contribute his quota to the maintenance and to the upbuilding of the household.

Job analysis and vocational guidance were not limited solely to the probationer, but included the whole family, especially the

younger members, who were aided in obtaining positions which afforded congenial employment, and possessed possibilities for advancement and adequate remuneration.

The brothers and sisters of school age were encouraged to complete their education in elementary or High School, or when employment seemed more advisable, to pursue courses in night and continuation schools. The parents, wherever necessary, were advised to attend Americanization schools.

Recreation outlets for the entire family were studied and the resources of the community were ascertained. Such outlets included club and library membership, affiliation with neighborhood activities, and the attendance at lectures and public meetings. The main objective was that of developing and exercising the play spirit of the family as a group, rather than as separate individuals.

The establishment and the maintenance of a spirit of tranquillity and harmony in the home involved the solution of a great number of problems of human relationship. To reduce the friction and resentment between the reputable family and the delinquent member, to solve the problem of the over-stern or over-indulgent parent, or to eliminate the nagging of brothers and sisters, the assistance of the psychiatrist and psychologist was sometimes required.

In this comprehensive work of adjusting the family within itself and within the community, every type of social agency and community resource was utilized, especially the Church, the school, neighborhood forces, and the employer. To increase the sense of family solidarity, to regenerate and build up its spiritual life, and to strengthen and augment the wholesomeness of the influence of the home constituted the aim of the Bureau. That the family should not remain in a static condition of negative non-delinquency constantly balancing itself precariously on the border line of disreputability and dependence, but that it might aggressively direct its efforts towards social and economic stability, which would be maintained without assistance after the conclusion of the probationary period, was the ultimate objective constantly kept in mind by the probation officer.

Neighborhood Improvement.—When neighborhood and environmental conditions were degrading, unsanitary, or in any way undesirable, the officer endeavored to secure improvements through the aid of the community resources. The Board of Health, Department of Water, Gas and Electricity, the Police,

Fire and Building Departments, civic associations and social agencies rendered valiant service in this connection. Landlords were persuaded to make necessary improvements, and clients were encouraged to do their share to establish and maintain better moral and more hygienic conditions. When the neighborhood deficiencies did not lend themselves to improvement the officer attempted to persuade the family to move to a better environment. Often the families of the probationers were induced to move from congested centers to more desirable sections. This very frequently proved of far reaching and constructive advantage to the probationer because a new and finer neighborhood usually meant a more desirable type of associates and friends, in addition to improving the health, arousing the ambitions, and stimulating the self-respect of the family.

Financial Independence.—The Bureau was seriously concerned in securing the ultimate financial independence of the probationer. This involved three basic processes; first, that of securing the proper type of employment; secondly, that of training the probationer to carefully budget his expenditures; and thirdly, that of encouraging and building up habits of thrift and economy.

The Right Job.—Among the aims of the Bureau were that each probationer should be adjusted in stable employment and should build up a bank account. Consequently, one of the first tasks of the officer was that of securing for the probationer, whose difficulties usually began during a period of unemployment, a position well suited to his training and capacity. Frequently, the preliminary task confronting the probation officer was that of breaking down the shiftless and irresponsible attitude of his charge, who often had deliberately selected part time or seasonal employment. Once the officer had modified this attitude, steps could be taken to secure his industrial and economic adjustment.

The employment department of the Bureau was conducted by the Employment Counsellor, specially trained in vocational guidance, who made a survey of the employment conditions and opportunities of the city. Constantly in touch with city, state and private employment agencies, labor unions, and employers, he possessed a first hand knowledge which enabled him to direct the probationers and secure proper positions for those unemployed. In this placement work the objective was to plan for

the probationer an industrial career rather than merely to place him in a temporary job. Only those types of employment were secured which offered possibilities for sustained interest and the future advancement of the probationer.

Through scientific job analysis and the determination of the experience, abilities, and preferences of the probationers, they were placed in healthful and remunerative positions where good moral influences prevailed. Often desirable positions, with increased salary, better hours of employment and more hygienic environment, were secured for those probationers whose remuneration was small and whose prospects of advancement appeared slight.

This improved industrial adjustment brought about an immediate increase of self-respect, and the heightened regard of the friends and associates of the probationer. His attitude towards law and society, his personal habits and manner of living, were appreciably modified to suit his new status. Thus scientific vocational guidance and industrial placement constituted an extremely important factor in the upbuilding work of the Bureau.

Budgeting and Thrift.—As soon as the probationer commenced to earn a stated salary, he was assisted to formulate a budget of income and expenses. Since the possession of money or property gives to the owner a feeling of increased responsibility, greater respect for the property rights of others, and a deeper realization of his oneness with his fellow-beings, the probationer was encouraged to cultivate the habit of thrift. Many probationers had never been able to save because they could not conceive how it would be possible for them, with their small earnings, to meet their living expenses and still have left a balance which might be stored up for the future. The budgeting of their resources and the adjustment of their expenditures on a conservative basis resulted in their learning for the first time, how it was possible to save money.

The establishment of economically wise practices required in many instances almost a complete change in the attitude and habits of the delinquent. Lacking in ambition, employed in part time jobs which had provided little more than the bare necessities of life, unconcerned as to the future, dissipating their meager surplus funds in questionable pleasures, most of the probationers had considered the accumulation of savings impossible. Radical changes in social attitude, better employment, and a

complete adjustment of the habits of recreation were absolutely essential before habits of thrift could be definitely commenced.

In many instances the habit of thrift was established through an appeal to the probationer's vanity and pride, the joy of achievement, and by pointing out to him the social and economic improvement which would result from the possession of money or property. There were few who could not be stimulated by the desire to possess things which seemed far above them and beyond their present means. Many were quite willing to commence saving when they were convinced that the comforts and conveniences of life which they had always desired might be obtained by systematic thrift habits.

Many, who had regarded lightly the importance of better economic adjustment and had acquiesced at first through a sense of obedience, soon came to take an active interest in their financial advancement and gained a much greater appreciation of the value and use of money.

The establishment of savings accounts, the taking out of insurance policies, and the investment in non-speculative securities were encouraged. Those who sought to engage in business ventures of their own were aided in every possible way. Probationers were frequently assisted to secure new and better furniture for poorly equipped homes, and in several instances under the guidance of the Bureau, probationers found it possible to purchase their own homes.

In twenty months, fifty-five thousand dollars were paid through the Bureau in restitution and for family support. The sum collected bears testimony to the productive results of teaching thrift, care in expenditures, budget planning and temperance in all things.

Constructive Recreation.—"In the sense that leisure involves one-third of life, that third which makes humanity happy and efficient, the leisure time problem is the most important of our civilization." The misuse of leisure hours has always proven a dominating factor in delinquency, and especially in the problem of youthful offenders. Consequently, particular attention was given to the recreational habits and preferences of the probationers.

During working hours, naturally, the possibilities of misconduct were negligible. It was when the day's work was done, however, and when free hours were available for diversion and

relief that the danger of destructive and enervating amusements presented itself, and that the real problem of constructively occupying the probationer's time and interest challenged the attention of the supervision officer.

Directing and superintending the delinquent's spare-time activities was a far harder task than that of placing him in a fitting occupation. Once more the best approach was that of discovering the probationer's own tastes and inclinations through consultation and repeated contacts. Changes of recreation involved first of all, a new outlook on life, changes of associates and friends, the making of new contacts, and the breaking up of cherished habits of conduct. In a city like New York, there are available a range of wholesome forms of amusements sufficient to satisfy every taste, and yet in many instances, the probationers were unaware of them and even those who did know of them were not interested enough to utilize them.

An important aspect of each probation officer's survey of his district was the study of its leisure time facilities. An up-to-date inventory was compiled of all available recreational facilities and set down on a classified list. These directories insured the maximum use of existing facilities for recreation and recorded also the absence of adequate opportunities for play and amusement.

The probationer, bent upon indulging himself in vicious amusements, could be induced to relinquish them only after he had been convinced of their disadvantages and of the existence of more absorbing and constructive types of recreation. In most cases discussion or argument produced but little result. It was generally possible, however, through the use of repeated suggestion and through arousing the curiosity and interest of the probationer, to induce him to experiment with new types of recreation. Experience with these new forms often engaged his permanent interest and assured his continued participation therein.

In each case the probation officer sought to discover some particular hobby that would fire the enthusiasm of the young delinquent. Usually this device was found successful and the new-found interest often proved a safe and sufficient substitute for previous disorderly habits.

Probationers preferring sports and outdoor recreation were encouraged to join athletic clubs and gymnasia, while others, who were interested in less strenuous activities were induced to become

members of settlements, clubs, and civic organizations located in their neighborhood. More serious individuals, often of the introvert type, who shunned contact with their neighbors, were interested in hobbies and attractions which provided them with wholesome diversions during their spare moments.

Recreational ideation and habits, however, were extremely difficult to change, and in many cases it was only after slow, painstaking effort that an improvement in leisure time pursuits could be effected.

In no instance was the probationer compelled or too strongly urged to engage in new recreational activities. Both for temporary success and for permanent results, it was essential that the individual actually desire to pursue the courses suggested.

The play instinct was always present as a basis for constructive work and there were few probationers who could not be induced to avail themselves of better forms of recreation when they were readily accessible and attractive in nature.

Restoration of Social Status.—At every point of social contact the probation officer attempted to have the probationer fit in unobstrusively as a normal person and social unit. In every relationship of life, the probation officer endeavored to have the probationer accepted naturally as an individual without any reference to his previous history or conduct. In order to facilitate the social relationships of the probationer and to prevent unnecessary friction, doubts, or resentments, the fact that the client was a probationer was not unnecessarily divulged.

It was in the probationer's own family that the problem of reëstablishing a normal social status had first to be solved. Usually the family was resentful of the blight upon their reputation caused by the delinquent's act. Often the family was skeptical as to the possibilities of improvement on the part of their "black sheep" who in some instances had well merited this reputation. It sometimes required a considerable period of time and continued encouragement on the part of the probation officer, for the probationer to convince his family of the sincerity of his intention to reform.

The same difficulty of convincing skeptical observers was present in the reëstablishment of the probationer's normal social status in his neighborhood. In some instances, neighbors had suffered from the depredations of the delinquent and his unruly associates. Here too, the only acceptable proof of his change of

heart was consistent good conduct for a considerable period of time.

It was at the new places of recreation which had been selected on the advice of the officer that there was available for the probationer the best opportunity to start with a clean slate. Here, usually, were new faces, new comrades, to whom his previous history was unknown, and who naturally accepted him without skepticism or prejudice. Here the evidences of good fellowship, good sportsmanship and any signs of special ability were quickly recognized and brought him the response of his associates.

As the probationer made good in his new place of employment and commenced to build up a savings account, his family, friends, and associates became more and more inclined to accept him on an equal footing. Step by step after repeated and continued proofs of his improved attitude and social conformance, the probationer attained that social recognition which is accorded a sincere, well-behaved, and normal member of society.

4. PERSONALITY DEVELOPMENT

No matter how well the probationer appeared to be adjusted to his environment or his social contacts, no permanent rehabilitation could be said to have been effected until a thoroughgoing modification had taken place in his mental and emotional life, beliefs, attitudes, habits and conduct. Unless a complete regeneration of character had been accomplished at the cessation of the probationary treatment, the probationer would sooner or later have slipped out of his newer and finer adjustment, back into his old environment and among his former associates and friends. No effort, therefore, was spared by the supervision officer to bring about a permanent change in character and personality.

In the process of the development of personality, the following plan of procedure represented essentially the case effort of the Bureau:

Holding Up Ideal of Self, Physical Rehabilitation, Discipline and Self-Control, Character Building, Emotional Adjustment, Academic and Vocational Education, New Resources and Outlets, Regaining Self-Respect, Social Consciousness, Appearance and Manner, Religious Development, Long Look Ahead.

Holding Up Ideal of Self.—One of the most efficacious features of the supervision work was that of translating the

plan of adjustment into a vivid, inspiring ideal of the intrinsic potentialities of the probationer's character and personality. The probation officer, with genuine insight and sympathy, was soon able to gain a deep knowledge of the probationer's capacities and limitations, and from this knowledge was able to fashion an ideal which was both appealing to the probationer and possible of realization. The coöperation of the probationer was actively enlisted in this interesting process of measuring up to the full implications of this ideal.

The probationer was made to feel that this ideal essentially was nothing more or less than a well-rounded combination of the capacities and abilities existing in his own nature, selected from the total number of qualities and capacities, which were unorganized, conflicting, and bewildering, and contained a considerable number of undesirable elements. Consequently, the whole process of reconstruction assumed an element of novelty and in addition did not strike the probationer as being something intangible, unrelated to himself, and impossible of realization.

Little by little, and step by step, the various qualities and capacities were modified, developed, and strengthened, and the undesirable material inhibited and culled out. As success followed success, the probationer became more and more convinced of the possibility of realizing his own ideal self, and he became more and more determined to realize the full capacities of his own nature.

Physical Rehabilitation.—Every probationer was given a thorough physical examination. On the basis of the diagnosis and recommendations of the physician, the supervision officer was enabled to assist in the correction of the health problems of the probationer and to carry out the suggested program for physical reconstruction. The importance of health in the reformation of the character and conduct of the probationer could not be overestimated. In many instances the removal of some physical handicap or ailment opened the way to improved conduct.

The physical examinations revealed varied defects and diseases, most of which were responsive to treatment which was always available at a suitable clinic in the vicinity of the probationer's home. Tests to determine the presence of venereal disease were required of all probationers. The follow-up on treatment prescribed in cases giving positive reactions was intensive and persistent. Approximately seven per cent of the pro-

bationers were afflicted with social disease. No probationers were discharged from probation who were suffering from venereal infection or other serious disorders.

The necessity of building up vitality and resistance to disease was emphasized in the health work of the Bureau. Through the distribution among probationers of pamphlets published by the Federal and State Health Departments and by the use of lectures under the auspices of the Board of Education, they were educated in personal hygiene and in those methods of living which constitute active disease prevention. By the use of these and other methods, the probationers were so improved in health and strength that they were better equipped mentally and physically to cope with the problems of life.

Discipline and Self-Control.—The main objective of the disciplinary aspects of probation was that of developing in the lives of the probationers self-control and self-discipline, so as to break down anti-social habits and conduct, and to strengthen their resistance against future temptations. From the time that the offender was first entrusted to the supervision of the Bureau and instructed in the meaning of probation until the final review of his case by the Court at the time of discharge, this disciplinary process was going on.

The prompt visit, in addition, to the bi-monthly visits by the supervision officer to the home of the probationer, in case he failed to report, the discreet monthly oversight of his employment conduct, the constant accounting to the officer regarding his health, recreation, associates, church attendance, and school progress, were calculated to engender in the probationer a sense of responsibility, regularity of habits and conduct, and a respect for authority.

Discipline was never permitted to become an end in itself, but was always regarded as a means for the upbuilding of sturdy, independent character. Through firm guidance, alert detection of infractions, and through frank discussion of the probationer's problems, gradually habits of self-discipline and self-control were strengthened. Progress was not rapid, and often considerable patience and forbearance were required when inevitable minor lapses occurred.

Although the prospect of punishment resulting from any violation of the probationary conditions was always in the background, the motivating force of the supervision work was the vision constantly held before the probationer of the rewards

and advantages of self-discipline. When, however, the probationer proved recalcitrant and unamenable to supervision, and persisted in anti-social conduct, a bench warrant was requested for his arrest. He was then promptly arraigned before the judge who had originally sentenced him and was either continued on probation after a severe reprimand or was committed.

CHARACTER BUILDING.—Each probationer was studied in relation to his character weaknesses and strengths, and a carefully considered plan of treatment was put into effect. During the diagnosis, evidences of intemperance, sex irregularities, dishonesty, cruelty, indolence, deceitfulness, and many other undesirable traits, which had played a large part in the career of the delinquent, were discovered. The basic problem in the personality development of the probationer was the upbuilding of his character, for upon its integrity and force depended ultimately the individual's failure or success.

In the process of character building, three elements were considered; the raw human material, ideals, and leadership.

1. The Raw Human Material.—Thomas holds that the impulses, hungers, cravings, and drives constituting the raw material of which character is built may be grouped according to four motives: wish for new experience; wish for security; wish for response; wish for recognition.[5] Character, therefore, was built up from raw material functioning in conformance with the four great groups of motivation and by the three-fold process of inhibition, substitution, and alimentation (final absorption). The task of character building, consisted fundamentally of checking or recanalizing those behavior tendencies which were anti-social in nature and the stimulating and feeding of those which were social.

For example, anti-social cravings for new experience were diverted into safe and wholesome channels which consisted of athletics, vocational education or new types of employment.

The wish for security which may have expressed itself in robbery or thievery as a means of subsistence was diverted into legitimate fields of employment, thrift and investments.

The desire for response, which may have manifested itself in evil companionships or sexual promiscuity, was met by better adjustments at home, wholesome companionships and by courtship and marriage.

[5] W. I. Thomas, "The Unadjusted Girl."

The wish for recognition which may have displayed itself in acts of cruelty, bravado or recklessness was transformed into seeking applause for excellence in some form of sport or in club or community achievement, or in sobriety and integrity of conduct.

The task of the probation officer always was that of introducing powerful inhibitory forces, of substituting more wholesome activities, and of insisting upon and holding the probationer to a constant course of constructive conduct, until new habits and behavior patterns had been established.

2. Ideals.—Since ideals are of two kinds—those which are passively admitted and those which are accepted and acted upon, the probation officer undertook not only to explain proper ethical concepts and social codes of behavior to the probationer, but to secure practical acceptance of those ideals. In this task the services of religion and the Church were utilized to add prestige and dignity to the ethical codes and to supply their powerful religious motivations.

In all the relationships of home, work, play and associates, the probation officer held up before his client high ideals of ethical conduct. The emphasis always was on the positive rather than on the negative side, and virtues and not vices were dwelt upon. Always the quiet example was much more effective than the eloquent sermon, and the indirect method yielded the richest fruit. The supreme importance of good character was placed before the probationer, not essentially as a form of self-repression or as a sign of saintly piety, but as necessary to any permanent or considerable success in life.

3. Leadership.—No single influence in life is so powerful in motivating conduct and promoting vital growth as that of the example and leadership of a forceful and inspiring personality. Unless the officer exemplified in himself the ideals which he was endeavoring to inculcate into the life of his client no success could possibly follow. Nothing is more imperative on the part of the probation officer than high character if he is to function as a character builder.[6]

Realizing this truth, the supervision officers of the Bureau were carefully selected. The qualities sought in addition to training and experience were good character, virile personality, kind disposition, great patience, self-possession, freedom from

[6] John M. Cooper, Proceedings National Probation Association, 1923.

prejudice, an understanding of human nature, facility in conversation, and deep-seated interest in people. Wherever possible also it was the aim of the Bureau to bring the probationer into contact with other constructive personalities.

Every contact which the officer had with his client was made as productive as possible. For example, the weekly reports of the probationer afforded excellent opportunities to enter into a sympathetic and invigorating relationship with him. Here could be discussed the intimate problems which were perplexing him. Here could be analyzed the motivations of either his commendable or undesirable actions during the week. As the officer obtained a more understanding insight into the character of his charge and gained his full confidence and respect, he was able, by means of advice and exhortation, to influence deeply the beliefs, attitudes, and conduct of the probationer. The greatest single factor in the strengthening and stabilizing of the probationer's character was the vitalizing influence and constructive friendship of the dynamic and devoted probation officer.

Emotional Adjustment.—Not only did the probation officer find it necessary to straighten out mental conflicts, misconceptions, wrong ideas and bewilderment on the part of his client, but often the very difficult problem of the latter's emotional adjustment confronted him. Sometimes the client was handicapped by many conflicting attitudes, aversions, and obsessions in regard to various personalities and conditions which had been accumulating perhaps during his entire life. Occasionally he harbored animosities and resentments against his parents, or his brothers and sisters, or against his associates or employers. Or perhaps he was dissatisfied and disgusted with his neighborhood condition, the type of his employment, his habits of conduct, or against the social system *en bloc*.

In the presence of such problems nothing was more imperative than reassuring guidance by the normal and well-poised personality of the probation officer, who, possessed of emotional control, found it possible to transfer his own tranquillity to the probationer. Progress in stabilizing the emotional life of the probationer could be expected only when the probation officer possessed the power to maintain serenity and continuity in his own feeling life. The possession of such a steady current of feeling, meant that the officer was adjusted to life, that he possessed what Adolf Meyer calls, "constructive composure," and was able to impart his own emotional balance to his client.

The problem therefore of the officer was that of tranquilizing and harmonizing the emotional reactions of his client. Unless the probationer could be trained to adjust his feeling reactions to varying conditions and contacts, unless his emotional responses were won over as allies, there would be present constantly an emotional strain that would prove a serious handicap to his future development. His personality then would become a house divided against itself, ready to topple over in any serious crisis. Whether at home among its inevitable frictions and irritations, whether at his place of employment where he was subject to rebuke and criticism from his superior, or whether at play with the odds of the game going against him, the importance of the adjustment by the probationer of his emotional reactions was emphasized by the officer.

The idea of emotional control and stability was constantly held up before the probationer. Explosions of temper, brutality, deep-seated resentments and antagonisms, obsessions, unfounded suspicions, overweening egotism, excessive timidity, and other undesirable emotional patterns were analyzed and their objectionable features pointed out by the officer. The probationer was shown the destructiveness of extreme obstinacy, of jealousy, hatred, recklessness, and the attitude of lawlessness and irreverence.

Little by little the probationer was convinced of the desirability both to his personality unfoldment and his social advancement of such desirable traits as tolerance, sympathy, generosity, gratitude, fairness and good fellowship. He was taught also to appreciate and recognize the presence of these qualities in the personalities of others.

The securing of emotional adjustment in the last analysis depended upon the spirit of mutual confidence and esteem which existed between the officer and his client. Since emotional control is a subtle, invisible, internal process, it was only by persuading the probationer to give a complete straightforward account of his feelings and attitudes that any definite progress could be made. However, when such a frank relationship was developed and when the client was willing and eager to make any suggested changes, the indefinable, but none the less actual, influence of the officer's constructive personality was able to effect marked modifications in the feeling life of his client.

Moreover, as the probationer grew in the power of self-analysis and realization, there developed a more wholesome atti-

tude and appreciation of the various elements of his life. He came to respect the self-sacrificing spirit of his parents, the opportunities of a good job, the benefits and joys of wholesome comradeship and loyal friends, as well as the responsibilities and privileges of citizenship.

Special attention was paid to the treatment of the various instincts and emotions, such as, for example, the acquisitive impulse and the instincts of pugnacity and sex.

When active team work between external conduct and the internal emotional reactions had been brought about, the probationer was in possession of powerful allies in the difficult task of character formation and personality development.

Academic and Vocational Education.—Basic reëducation was found absolutely essential in many cases. A careful study of each probationer's educational deficiencies and requirements was made, and a plan of education suitable to his social and family responsibilities and to his aptitudes and capacities was formulated. The vast educational resources of New York City were utilized. The probationer was made acquainted with these resources and was encouraged and advised in the selection of the proper schools and classes.

The evening and continuation schools and various classes giving instruction in vocational subjects were utilized in the educational program of the Bureau. Attendance at continuation schools by the youthful clients was carefully followed up by the officer. Probationers were encouraged to make use of libraries, to attend night classes, and to join various social and educational groups.

The tendency of young men and youths in their later teens to believe that further schooling is unnecessary, that they are too old or that it is too late for them to remove their educational handicaps, was overcome by persistent effort. Here the repeated appeal to the probationer's pride, vanity, or wish to succeed in industrial or social life usually was productive of the desired results. Those who professed repugnance towards the ordinary curriculum prescribed in school, and those who evinced an interest in mechanics, were placed in evening trade schools where they studied automobile repairing, electrical work, and other trades. Many of these youths are becoming mechanically skilled with every indication of a successful industrial future.

It was not unusual to discover youths with artistic or musical

abilities, and in such cases, through coöperation with other agencies, their natural talents were developed under competent instruction. One young man who possessed an extraordinary faculty for sketching was supplied with the means of instruction by the Bureau and is now a fine cartoonist. Non-citizens who were unable to read or write English were enrolled in Americanization classes.

As was to be expected, there were many who, due to the nature of their employment, the length or uncertainty of their working hours, the advance of age or the settled routine of their lives, could not be adjusted properly to any normal educational plan. For probationers of these types, special efforts had to be made to induce them to join clubs or organizations where by even occasional attendance they might derive benefits of a stimulating or educational nature.

Constantly there were held before the probationers the opportunities for increased earnings, improved industrial position, and the added social prestige, which would result from a broader, deeper educational equipment.

The educational program of the Bureau both for academic instruction and the vocational training of the probationers extended immeasurably their horizon as to the possibilities of life.

New Resources and Outlets.—The probation officer was constantly on the alert to discover undeveloped qualities, capacities, and abilities in his charge. As new types of activities were suggested by the officer and tried out, the degree of success achieved therein was carefully observed. Whenever the results seemed particularly favorable and desirable, the future devlopment of the new capacities was vigorously followed up. Thus, for example, the probationer might through his vocational education discover unsuspected aptitudes or perhaps he might disclose special capacities of leadership in his new social relationship, in clubs, settlements, and political groups. If such proved to be the case, their development was encouraged by the officer.

The officer made certain that large successes followed the smaller successes, so as to cultivate in the client the determination to overcome obstacles, and to acquaint him with the joys of definite achievement. Every possible means was utilized to release the creative energies of the delinquent and to direct them into constructive fields of action.

Regaining Self Respect.—Of great importance to the probationer was the regaining of his feeling of self respect and the renewal of confidence in himself. As the probationer achieved success in his work or in his various social relationships, and he discovered that he was accepted as one of the group, gradually there was built up within him a wholesome regard and respect for his own abilities and his own personality. This feeling of self regard was also strengthened by the realization of his economic utility, his social acceptance, his consciousness of responsibility, and his adjustment as a normal, law-abiding citizen. As he tasted of the elixir of success in his new life, and received the merited plaudits and approbation of his old and new associates, his confidence was strengthened, and fresh incentives for more vigorous and faithful endeavor were furnished.

Social Consciousness.—The ultimate criterion of successful personality adjustment was the appearance and unfoldment of an active and responsive social consciousness on the part of the probationer. Without that sense of social solidarity and that feeling of kinship with his fellow beings, which is a driving impulse in the development of altruistic sentiments and conduct, the future career of the probationer as a law-abiding constructive citizen could not be predicted.

It was not unusual to discover that the probationer's apparent disregard for the accepted and conventional habits of life was merely a defense reaction to his feeling of isolation. In such cases the individual was brought to realize that he was an essential unit in the community, and that any evidence on his part of a sincere desire to join in the activities and advance the objectives of his neighbors and associates would receive due recognition.

At every point and upon every possible occasion the supervision officer pointed out to the client the benefits, both tangible and intangible, which would result from an improved course of conduct. The effort to arouse the desire for increased personal power which could be attained by measuring up to the higher forms of social conduct and to fire the probationer's determination to ascend in the moral scale so as to obtain the recognition of his fellow beings, generally brought forth a favorable response.

Through enthusiastic and active participation in all the duties and responsibilities of normal life, through the give and

take of social participation, through the development of sincere friendships and an appreciative and loyal attitude towards family, work, neighbors and Church, this sense of community interest and social consciousness was gradually evolved in the mind and heart of the probationer.

As the officer prevailed upon his client to throw himself into life with energy and gusto, and to engage in group activities—team work and willing coöperation, stimulated by a desire for social esteem, proved of immense value in the development of loyalty and the feeling of friendship, of a consciousness of kind and in stabilizing and improving the conduct of the probationer.

Appearance and Manner.—Important factors in making the probationer more acceptable in both his new and old environment were the cultivation of a neater appearance and a more gentlemanly manner. Such socially desirable characteristics as correct posture and carriage, pleasant facial expression, a ready smile, personal cleanliness, an agreeable voice, and in general a quiet, polite manner were pointed out and the best methods of improving them were discussed. Such faults of manner as too great aggressiveness, boastfulness, flippancy, petulance, or sarcasm were also considered, if they were present, and the opposite desirable traits were held up for emulation. The probationer was taught to realize also the financial and social advantages of improving his manner and appearance.

Religious Development.—One of the vital objectives of the Bureau was to further the religious development of the probationer, to bring about not merely objective evidence of good conduct, but to effect a sincere and lasting reform from within. Almost invariably a complete reëducation in spiritual values and ethical conduct was essential.

After the supervision officer had gained the confidence of his charge, it was possible for him to talk over his religious observances, the religious training he had received, and the other influences which might have determined his spiritual outlook. Having thus discovered the nature of the probationer's religious beliefs and observances, it was possible to develop an individualized plan for bringing him into a more vital contact with religious and spiritual influences. Church attendance was required of all probationers. Affiliations with church societies and the use of the social and recreational facilities of the parish

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After the supervision officer had gained the confidence of his charge, it was possible for him to talk over his religious observances, the religious training he had received, and the other influences which might have determined his spiritual outlook. Having thus discovered the nature of the probationer's religious beliefs and observances, it was possible to develop an individualized plan for bringing him into a more vital contact with religious and spiritual influences. Church attendance was required of all probationers. Affiliations with church societies and the use of the social and recreational facilities of the parish

were encouraged, with the idea that, through the constant contact with these wholesome and attractive associations, the probationer's attitude, point of view and behavior gradually and unconsciously would be modified to conform with the Church's ideals of faith and conduct.

THE LONG LOOK AHEAD.—A working principle of the case work of the Bureau which was never lost sight of was the *Long Look Ahead.* The conception of the probationary supervision implied much more than watchful care on the part of the officer during the legal period of probation. *What was the probationer going to be and what was he going to do after he had passed from the care of the Court?* From the very beginning of the case work this was borne in mind. The plan of treatment considered the whole life and career of the probationer, both during and after the probationary period. The question of prime importance was: What does the probationer most need to hold him steadfastly to his resolution to become a good citizen?

In working out the plan for the entire life of the individual, it was recognized that it must be accepted as his own if he were not to abandon it after the probation period. Even if a much wiser plan than the probationer could conceive of was brought to his attention, unless his honest acceptance of it was secured it had to be replaced by his own. Trial and error again entered here, and one of the lessons that the probation officer had to master was that the probationer must learn by his own experience, sometimes from his own mistakes, to make his choices wisely. But to have learned this lesson thoroughly was worth the risk of many failures.

The *permanent* restoration of the individual as a constructive unit in the community was the responsibility which the Bureau accepted as the test of its efforts. Every step, therefore, in the process of returning the delinquent to the normal ways of life was always undertaken with this objective as the goal of accomplishment.

The Long Look Ahead also included a friendly post-probation supervision after the legal termination of the period. This interest and service was regarded as indispensable to the fruition of the plan for permanent adjustment.

The assumption of the responsibility for permanent rehabilitation involved the shouldering of many problems of great

variety and immense difficulty. The Bureau believed, however, that in justice to its obligation to the community it could not be satisfied with any lesser standard of achievement.

5. TENDENCIES AVOIDED

SUBTLE ANTAGONISMS.—The situation wherein a subtle antagonism against the probationer was aroused by the officer's feeling of powerlessness and inability to achieve progress in the diagnosis and treatment was not permitted to arise. Such an antagonism which eventually would have expressed itself in discouragement, belittlement, and a hopeless attitude toward the probationer could not develop under the Bureau's plan of administration. By the appointment of competent probation officers, by flexibility in the assignment of cases, by close supervision, by difficult case conferences, and in some instances by the transference of an obdurate problem to another officer better adapted to the particular personality, the development of antagonistic attitudes was prevented.

TOO CLOSE SUPERVISION.—Too close supervision, which always presents an obstacle to the permanent adjustment of the delinquent, was also avoided. Constant watchfulness, ready-made plans, over-anxiety to help the probationer in the solution of problems, nagging in regard to details which might be better left to his discretion, and a plethora of advice, were eliminated by careful supervision. The habit of carefully analyzing his own problems, the spirit of facing responsibility squarely, the quality of sturdy self-reliance, and a faithful execution of all the elements of the plan of adjustment were encouraged on the part of the probationer.

IMPATIENT WITH RELAPSES.—Practically every person who has achieved eventual success in life has had to experience failures in his career. Likewise, the progress of the probationer was not uniformly successful at every step, and did not describe an unvarying line of ascent. At various points during the different periods of the upbuilding process, the probationer reverted to his old habits of living or abandoned the new plans of progress. Such relapses commanded prompt attention, yet punitive action was often withheld, and the slow process of reconstruction was continued. The probation officer was not too quick to discipline slumps in conduct. Sometimes in probation work such slumps have been too swiftly penalized. The case work of the Bureau

included several instances of ultimate success after repeated failures. Always the process was one of slow natural growth, wherein impatience for results might have proved disastrous.

Objective Case Work.—The improvement merely of the external aspects of the probationer's life—better employment and recreational facilities, more wholesome neighborhood conditions, and increased social opportunities—was not accepted as positive proof of his rehabilitation. All this availed nothing unless the "central springs of the living spirit" had been tapped, unless there had been nurtured a sound growth of character, tried and tested, which would constitute through life a source of inner power and sustaining strength to the regenerated spirit of the probationer.

PART IV

ADMINISTRATIVE ASPECTS OF SUPERVISION

Period of Probation.—The average period of probation was of three years' duration, and was followed by a friendly post-period supervision. Realizing that through intensive case work, a youth who is placed on probation for a long period of time is much more likely to become permanently adjusted in the community, the Judges were inclined to impose adequate supervision terms. More time and opportunity was thereby afforded the probation officer to study the probationer, to plan effective treatment for his rehabilitation, and to render practical service to that end. No probationer was discharged from supervision until the case objectives had been realized. Where these had not been achieved the period of probation was extended.

Assignment of Cases.—Each supervision officer was responsible for only *fifty cases* at any one time, usually assigned according to the district plan which was best adapted to the metropolitan area. Special problems, however, were assigned to officers who were best equipped to meet the needs of the individual. Women probationers were supervised by women officers.

Reports and Visits.—Probationers under the supervision of the Bureau were required to report weekly, except during periods of unemployment, when daily visits to the office were demanded. Reports were received at the Bureau five nights a week, and the time was so arranged that haste was unnecessary in dealing with the individual. Undesirable commingling of probationers was

prevented, and each officer received his probationers individually in a private office.

Out-of-town probationers reported to the Bureau by mail weekly, and to the probation officer in the local community in person. In some instances, also, out-of-town family welfare agencies were requested to assume supervision over the probationer and his family.

Home visits were made regularly twice monthly by the supervision officer, and more frequently when circumstances warranted. The places of employment were visited monthly.

Coöperation with Other Agencies.—From the inception of the Bureau, whole-hearted coöperation was secured from and extended to the social agencies of the community and the country. The assistance of other organizations, and in particular, that of the great federation of agencies under the direction of the Catholic Charities of the Archdiocese of New York, was enlisted in behalf of the probationers to provide opportunities and services which the Probation Bureau was not equipped to supply.

The Bureau considered itself as merely a component part of the great ameliorative forces of the city, and every resource of the community was sought out and utilized in the solution of the problems of its clients. Each probation officer regarded himself as a social engineer, tapping all the power resources at his command for the benefit of the probationers.

In its case work the Bureau was considered by workers in other fields to have achieved standards of service comparable to those of the best family welfare agencies.

Violators and Absconders.—The supervisory process of the Bureau was social case work with the added power of the law behind it. Probation was not permitted to be merely a suspended sentence with the incidental advantages of oversight and admonition on the part of the probation officer and without recourse to severe measures if the admonitions were not heeded. Probationers were not allowed to disregard the instructions of the probation officer with impunity, for the Judges vigorously supported the officer in requiring observance on the part of the probationer of the terms and conditions of his release.

Probationers could not drop out of sight by the simple expedient of a change of address. Absconders and other violators of probation were pursued relentlessly and evasions of proba-

tionary oversight were reduced to a minimum. Probationers were not permitted to leave the jurisdiction of the Court without the permission of the Judges, and when such permission was granted, they were placed under the supervision of the probation officer in the new community, and were further required to report by mail to the Bureau.

When the behavior of the probationer was unsatisfactory, other methods failing, he was brought into Court for a reprimand or warning, or for sentence. Warrants were issued promptly for all violators. The interest of the probation officer, however, did not cease at this point and he made constant efforts to facilitate the execution of warrants for violators. All available information was furnished to the warrant officer, and the probation officer was unceasing in his efforts to aid the police in apprehending these offenders.

Violation of probation warrants were also lodged against probationers who were sentenced on other charges. Extradition proceedings were instituted against absconders and violators located in other states. On all arraignments for violation of probation, the cases were adjourned for one week in order to permit the probation officer to make a thorough examination of the facts and to present a complete report for the consideration of the Court.

Discharge from Probation.—The period of probation, although definitely fixed, was practically indeterminate, since a continuation of supervision was requested in all cases where there was any uncertainty as to the permanency of the adjustment.

Previous to the discharge by the Court, a summary of the history of the probationer, the contributory factors in his delinquency, his reaction to probationary treatment, and the subjective and objective results obtained were presented to the Judge.

Results of Supervision.—An exacting analysis of the current results of the supervision work of the Bureau indicates that 85 per cent of the probationers will be permanently adjusted in the community.

The apparently high percentage of successful results is due to four factors:

1. Careful selection of probation material.
   (Only 19 per cent of the cases investigated were placed on probation.)

2. The service of college trained, skilled, and enthusiastic probation officers of good personality and character.

3. Individual, scientific, social case work as the standard of supervision in each problem.

4. Ample resources and equipment.

REPORT OF THE BUREAU'S ACTIVITIES.—Limitations of space in this report do not permit of a full portrayal of the methods used and the results obtained during the course of this new venture in modern scientific probation work. A report of the accomplishments of the Bureau is being written which will include an exhaustive exposition of the diagnostic and treatment methodology employed, exhibits of the probation forms and records, administrative rules and regulations, and detailed outlines of the investigative and supervisory procedure. An important section of this report will be a discussion of the causation, treatment, and prevention of crime, based upon the research work of the Bureau. This report will be available in the late Fall to all interested persons and agencies.

ACKNOWLEDGMENTS.—Whatever has been accomplished by this experiment in standard probation service is due to the fine vision of Cardinal Hayes and his Secretary for Charities, the Rev. Robert F. Keegan, who, through the medium of the Catholic Charities of the Archdiocese of New York, placed ample resources at the disposal of the Court of General Sessions and actively sponsored a high order of modern, scientific social case work. Cardinal Hayes, in making possible this experiment in the social treatment of delinquents, was actuated by the desire to make an unselfish contribution to the development of probation, to bring about a more rational administration of Justice, and to aid in the solution of the crime problem.

Invaluable to the Bureau was the never-failing support of the Judges of the Court of General Sessions. It was a fortunate circumstance that this experiment was conducted under the auspices of such an illustrious body of socially-minded Judges, who understood the purpose and welcomed the scientific and enlightened viewpoint which animated the procedure of the Bureau. The Bureau is also deeply indebted to District Attorney Banton and his staff for their valuable assistance and unfailing coöperation.

The Bureau wishes to express its sincere appreciation of the

constant coöperation so generously extended by Mr. Charles L. Chute, Secretary of the National Probation Association, the Hon. Edmond J. Butler, President of the New York State Probation Commission, and the Secretary of the Commission, Mr. Frederick A. Moran. The Bureau is deeply indebted to these friends for much valuable help and for their expert advice and personal examination of various phases of the Bureau's work.

PART V

THE FUTURE OF PROBATION

A truly impressive amount of research has been done and is still being carried on by scientists, physicians, educators, and social workers, in an attempt to obtain a profounder realization of the mechanism and dynamics of human nature and behavior, and to discover the best methods of dealing with it constructively. Priceless and of incalculable value are the wealth of the discoveries which have been brought forth. Invaluable are the contributions of such scientists as Furfey, Moore, Cooper, Galloway, McDougall, Watson, Healy, Allport, Gault, Glueck, Burt, Van Waters, and others who are grappling with the subtle and intricate problems of the human personality.

Essentially the problem of probation is that of accurately diagnosing human nature, and attempting to reconstruct crippled personalities, impaired character, and distorted behavior and conduct.

A priceless opportunity and an inviolable duty confronts probation at the present time. Its immediate obligation is that of assembling, studying and reorganizing the accumulated knowledge of social science into a well defined comprehensive probation methodology. Probation, like medicine, and psychiatry, requires a specialized technique of its own. In some ways, its problems are more intricate and more baffling and its tasks more difficult than those of the other sciences dealing with human conduct. Since probation touches human life at all points—health, family, education, religion, recreation, and work, the fine readjustment of the individual to these many points of contact and the reshaping of the human character and personality is a labor of tremendous difficulty. Consequently, the necessity for a well-defined and comprehensive methodology, and a general agreement upon it, is absolutely imperative.

The mind and heart of every probation worker in the country should be consecrated to the task of enlarging his vision and of improving the processes whereby the most effective results can be obtained. When leaders in probation work have succeeded in transforming the social treatment of delinquency into a profession, when the prestige and compensation of such a profession approximates those now established, then there will be attracted to its service individuals of marked ability and enthusiasm who can compare with the present personnel of the professions of medicine, teaching, and the arts.

Whether probation attains the dignity of a recognized profession or passes into social obscurity rests, therefore, in the hands of the probation officers. "The probation officer," states Dr. Van Waters, "is dealing with forces and materials as any other scientist or artist deals with them. Only these *human* forces are difficult to discover because they are so commonplace, so abundant, so deceptively simple that it takes unusual insight and imagination to realize them, just as it takes rare human ability to discover the beauty of personality, or to gather scientific data from the everyday stream of life. The probation officer has the twofold task of discovering human forces and of directing them in the conquest of delinquency. No profession to-day is more searching or more glorious,—for the probation officer is translating the knowledge of experts in human life, the physicians, psychologists, psychiatrists—into action. He is working with the sensitive bodies and minds of individuals. He is the courteous and comprehending friend to whom all may be told without offense and from whom may be expected complete understanding and the wisdom and strength of ideal parenthood."

"Probation officers," she concludes, "should have the requisite education, training, and experience. There is no excuse for their not knowing the elements of biology, psychology, sociology, and the facts of mental hygiene. They should be social physicians and their attitude should be that of the social worker, he who builds up social relationships. They should have respect for the worth, the dignity, and the integrity of human personality. They should use *knowledge,* not *force,* in the solution of their problems. They should believe in miracles, those daily miracles of the reconstruction of broken human lives."[7]

[7] Proceedings, National Probation Association, 1923.

ADULT PROBATION RESULTS

FRED R. JOHNSON, *Chief Probation Officer, Recorder's Court, Detroit*

Before discussing the results of probation, let me speak of our organization in Detroit, as my illustrations will be chosen from the Recorder's Court. In 1913 Michigan established a Domestic Relations Court, which later was found unconstitutional. This Court combined some of the functions previously exercised by three courts—Circuit, Juvenile, and Police. Since the decision of the Supreme Court, the Circuit Court and the Juvenile Court have resumed their original jurisdiction. Later there was established a unified criminal court by the reorganization of the Recorder's Court, a city court, and the discontinuance of a separate Police Court. The Recorder's Court now has jurisdiction over all felonies committed within the City of Detroit, over all misdemeanors, including family difficulties such as non-support, and over ordinance violations. We also have a unified probation department serving the Recorder's Court, with five divisions—Men's Division with separate branches for investigation and supervision, Women's Division, Domestic Relations Division, and Adjustment Division.

Probation is generally accepted as the logical disposition for a large proportion of cases involving children, as well as adults, where the difficulty is due to domestic trouble. It is less generally employed in cases of adults where the crime in theory of law is serious and classified as a felony. For that reason my illustrations will be chosen from men who have appeared before our Court because of felonies; and the function of a probation department I wish most to stress through my illustrations is that of the making of investigations to bring to light information which may be of assistance to the court in arriving at the best disposition.

Last year 1,263 men found guilty of felonies were remanded by the Judges of the Recorder's Court with the request that an inquiry be made by the Probation Department. Out of these 1,263 it is interesting to note that 470 were placed on probation, or substantially 37 per cent. We have at present a total approximating 3,200 on probation, of whom 1,200 are men who com-

mitted felonies. The more numerous offenses for which these men were convicted include carrying concealed weapons, unlawfully driving away an automobile, and grand larceny.

Herewith are summaries of three cases which will suggest some of the methods used and the results secured:

Case No. 1. The defendant was a young man of 25, native born, who pleaded guilty to uttering and publishing. He had been living with his uncle and the uncle was the complainant. In his behalf it was urged that he was a first offender, that he was the support of a wife and child in an Eastern city, and that if probation were granted restitution would be made. The Court remanded the young man for sentence and referred him to the Probation Department for inquiry and report. We communicated with the probation department of the city claimed as residence. A full letter in reply stated that the young man had been on probation in that city because of non-support. He had violated his probation because of drunkenness and because of failure to support his family. After a warning he had absconded and his whereabouts were unknown. The letter also stated that, following his departure, it was discovered he had passed several bad checks and that three warrants had been issued for his arrest. In view of the facts revealed by the investigation, the Court considered a period of institutional care was indicated and imposed sentence. The probation department of the city from which the man came was notified of the disposition and the place of detention.

Case No. 2. The defendant was a youth of 23, a descendant of an old Southern family, who was engaged as timekeeper in an automobile factory where he had been employed more than four years. He pleaded guilty to malicious destruction of property. It seems that he had come down town early one morning and had smashed the glass employed to protect the ticket seller outside of a moving picture theatre. He explained to the Court that a year ago he had been ejected from the theatre by the management because they were of the impression that he was making improper advances to a young lady seated next to him. He insisted that this was a mistake. He had nursed his resentment for a year before squaring accounts. The Court remanded him for sentence and requested an inquiry by the Probation Department. He was at once referred to the Psychopathic Clinic for an examination. It found him to have a mental age of 10½

years with an intelligence quotient of 65. The report noted the presence of ideas of a delusional nature with a persecutory trend and suggested that he be placed in the State Psychopathic Hospital for observation. Instead of keeping the man in detention and appointing a commission legally to determine his sanity, the Court decided to place him on probation with the understanding that such adjustments as might be necessary would be a part of his supervision. This decision was made Saturday noon and he was allowed to return to his rooming house with the understanding that he would come to the Court on Monday morning. When he failed to appear, a probation officer called at his address and was told he had left for parts unknown, leaving his trunk behind. It was evident he was now thoroughly convinced that he was being persecuted. Two days later his landlady informed us that he had written her from a hotel conducted by the Y.M.C.A. in Chicago. We immediately wired the Chief Probation Officer of the adult court, asking that the man be apprehended and admitted to a hospital for observation. Through the excellent coöperation of the Chief Probation Officer, Mr. Houston, this was done, in spite of certain legal complications. A few days later we received word that psychiatrists in Chicago had classified him as sane. In the interim we had established contact with a highly intelligent sister in the Southern city from which the young man had come. She, in conjunction with his mother, forwarded money to Detroit to bring the young man home. We accordingly authorized our friends in Chicago to buy a ticket for him and asked them to send him to his parental home, which was done. To assist in a better understanding of his mental condition, the family requested a copy of the report made by our Psychopathic Clinic and this was forwarded to them. They later secured his admission to a local hospital for mental diseases where he is now receiving treatment.

Case No. 3. Joe, defendant in this case, was a married man of 27, native born, with a high school education. He pleaded guilty to uttering and publishing. The Court remanded him for sentence and asked the probation department to make an inquiry and to submit a recommendation as to disposition. We found that during a period of two weeks Joe had passed 47 bad checks, largely on leading retail stores. The checks for which he was criminally liable approximated $2,700.00. He had in addition borrowed money on notes for an amount in excess of

$9,000.00, his liabilities totalling $11,996.00. Our investigation revealed that this man while a boy worked as a caddy on a golf course in Cleveland, his parental home. He became an expert golf player. He later mastered a skilled trade and after removal to Detroit successfully engaged in the building trades, employing a number of men. His expertness at golf made him a welcome companion at the best golf clubs of the city. He heard of other men who made a killing in the stock market and he decided to follow their example. But he knew less of the stock market than of golf, and in a "bear" market he became a "bull". Then it became necessary to protect his margins, and he began passing bad checks, easily done because of his previous good credit rating. The pot of gold was always around the corner. The checks were all to be made good. It was at this point that the prosecutor entered.

With some reluctance the Court placed the young man on probation with the condition that restitution must be made. A three year period of supervision was stipulated. To pull Joe through was an uphill struggle. His misdeeds had been exploited on the front pages of our daily press. Most of his friends deserted him. His business was ruined. His credit was gone. He had been deprived of needed machinery. Creditors were demanding a settlement. The task of supervision included first of all encouragement; secondly, advice and help in the reestablishment of his business; thirdly, standing off creditors; and, most of all, patience. Joe was recently suspended from probation with improvement. During his three year period he paid back through the probation department all of the money for which he was criminally liable, about $2,700.00. He settled $4,586.00 of his civil debts; he invested $5,700.00 in equipment and other necessary capital expenses; he wholly reëstablished his business; and, best of all, he regained the esteem and good will of those with whom he had been associated. He is now an asset to our city. Had he been sent to prison he might have become a liability.

PROBATION IN 1926

HERBERT C. PARSONS, *Deputy Commissioner of Probation, Boston, Mass.*

The year 1878 is a historic date in the history of probation in Massachusetts for it was at that time that the word "proba-

tion'' was introduced into the criminal law. It is a date that we make a great deal of, we who are interested in such matters in Massachusetts, including it with other significant years in American history, such as 1776, 1861, etc.

We have great reason for self-congratulation in the attention that his been paid of late the country over to correctional processes and the challenge that has been uttered to all the more humane methods of dealing with the offender. It has been a delightful experience—speaking from the standpoint of Massachusetts—to have the situation change from one of indifference on the part of the general public, of difficulty in getting people interested in the problems of correction, of desire to leave all the determinations of policy to the select few who are in official relation to the problem, to a condition where every citizen in the commonwealth has come, not suddenly, but completely to an interest in the whole crime problem. Such a change gives us an opportunity to have the public discuss the merits or the demerits of the various methods of correction.

The old simile for the changes in public sentiment is the pendulum swinging from one point to another. As opinion changes one assumes that at some point in the swinging the truth is arrived at. You are all perfectly familiar with the swinging of Longfellow's 90-year-old clock without ceasing. It went ''tick, tock, tick tock'', but it stopped short, never to go again, when the old man died. That simile doesn't seem to apply to the change of public sentiment in regard to correction. In the first place, it suggests stopping, and there doesn't seem to be any stopping in this shifting of public opinion. In the second place, the old man doesn't die; if he does die, he immediately is succeeded by some youthful and more active individual whose conduct sets public opinion going again at a very agitated pace and makes the pendulum go at a very irregular speed, which, of course, is disorderly as far as pendulums are concerned.

Let us look somewhere else for something that really describes the movements of public sentiment in regard to correction. In the institution for the feebleminded (pardon my going there for the illustration) one of the devices they use is a mound of earth high enough so that the children can't see over the top of the mound. The lower grade of feebleminded, for exercise and joy, march around that continually in a circle. Provided they can't see over the top of the elevation these unfortunates are just as happy to be moving around in that circle as normal people

are to be going out across the fields and forests. It satisfies their idea as long as they don't discover the fact that they are continually coming back to the same point.

The discussion of correction has that same tendency of coming around to the point where it discovers severity and inhumanity in the dealing with offenders as a whole and thinks that it is a new discovery. It is extremely unfortunate that it is not realized that an old circuit has been completed and an old point reached from which progress has been made out into the world, away from the acceptance of severity and inhumanity as a complete answer to the problem of dealing with the person who has infracted the law.

In Massachusetts we have been through this agitation and circling about and while not perhaps altogether finished we are over the disturbances that have come from certain kinds of offenses. Perhaps our experience during this very unusual agitation will be of interest. In the Legislature this year there were proposals—very sweeping in their character—which tended to do away with all the modern devices of reformation and of dealing with the offender in a constructive fashion, to deny to the courts the discretion that has been regarded as the bulwark of justice and to reduce the whole process of dealing with the criminal and the offender of all kinds to a strict rule of thumb. We were all of us pretty much abolished by the proposed legislation. Then we had a hearing. Everybody who had anything to say on the subject came before the Legislature and delivered his speech, the Committee on Judiciary hearing it all. The result was that no material change occurred.

The only measure with any significance is one which requires the judges of the courts through their probation officers, to inform themselves as to whether the persons charged with offenses punishable by more than one year's imprisonment, have previously been convicted of any offense. To do this is easily made possible by a system which we have in Massachusetts whereby all the records from the different courts are daily gathered in a central office, that of the Commissioner of Probation; the individual records are correlated so that every court has at its command the complete criminal record of any person who has any record in any court of the state.

The most gratifying result of all the discussion from the platform, in the newspapers and before the Legislature is a better understanding of what probation means, of the problems

that present themselves to the courts and a fuller realization of the very great responsibility placed in and the very active service required of probation officers. Out of this increased understanding we are assured greater confidence in and stronger support of this feature of our correctional process. Thus we have emerged from our baptism of fire, not only unscorched but possibly purified and on the whole strengthened in public esteem.

In justifying probation before the Judiciary Committee of the Legislature we used three tests. The first and obvious one was the record of conduct of those placed on probation. The monthly reports of the probation officers show that only 12 per cent out of 100 per cent so far have failed to justify the confidence of the court. About 5 per cent get away from Massachusetts. So that 83 per cent go through their probation period to the credit of probation. No other correctional process is as successful as that. Of course, we are dealing to a large degree with those who haven't committed serious offenses so the credit is not all due to the probation officer, but in some measure to those on probation.

The second test carries the thing a bit further. People will say that it is all very well to give a report of persons while they are on probation. Most anyone will behave under supervision. But what about the period after supervision is removed? The study made by the Probation Commission under authority of the Legislature two years ago of the lives of persons since their discharge from probation nine or ten years ago, showed that 76 per cent never again appeared in court. This refers to the adult male offender who has committed serious offenses, not to the drunk or those up for nonsupport. Then 97 per cent of them were never found guilty of an offense serious enough to be sentenced to an institution of any sort. Only three per cent of those persons on probation were later committed to institutions of any sort. That three per cent isn't very far from the way the rest of us behave. So that pretty clearly closes the case on that charge.

The third charge to meet is that such a process as probation and the dealing with people humanely instead of severely tends to weaken law and order in the community. Is it true that in those communities in which this power is freely exercised criminal conduct is greatest?

While it may sound boastful I claim that in Boston, for a city of its size in the country in which we live, property and peace in the community are more secure than in any other city in spite of the fact that in no other city in this country is the "outdoor" treatment given the offender to the degree it is in Boston. At this moment there are 800 prisoners locked up in the county, which is largely made up of the city of Boston. At the same moment there are more than 6,300 persons convicted of offenses who are in the care of probation officers. In other words about eight to one of the persons found guilty of offenses are at large in the community. If that were to be said to a Boston audience they would no doubt turn pale and would expect to find some of those 6,300 convicted offenders at large behind some tree or post on the way home. The fact is that Boston is making a showing as to the extent of crime among offenders which fully demonstrates that its way of dealing with them is a safe way.

Upon the three tests mentioned we went before the Legislature and proved that probation is a safe division in the administration of criminal law. The important thing however is not so much a matter of our justifying probation as it is knowing whether vital things have been effected. We want to know whether the individual treatment of the offender has been weakened or strengthened; whether what we must regard as one of the most precious things in our whole system—the broad discretion of the court in dealing with offenders— has been impaired or preserved. This was one of the points of attack in our controversy with the Legislature which held that the courts were not to be trusted with wide discretion, but should be reduced to certain rules by which they could dispose of their offenders with no play of emotion or common sense in the disposition of their cases.

Some people evidently think that after a judge has been elevated to the bench he shouldn't exercise his brain. It is assumed that he is put there so that he shouldn't have any play of conscience and judgment but should go by rules strictly laid down and should be denied such exercise of discretion in dealing with the offender that might reform the offender.

I recall a story that I heard last summer of a farmer who was elected to be a justice of the peace in a state where it was not necessary for a justice to be a lawyer, or to have any particular preparation for the office. The farmer not only had no law in his head, but he had no law in his library. Not possessing

a single law book, but thinking that he ought to make himself impressive before people that assembled in his court room, especially the culprits, he got a discarded cover of a law book and filled it out with a Sears-Roebuck catalog. When he found a man guilty of an offense he would hold the book before him in such a way as not to reveal the nature of the contents and would thumb over the pages until he presumably found the penalty to visit upon the offender. One day he convicted a man of an offense and fined him $7.98. The man immediately protested that he hadn't been guilty of anything punishable by so severe a fine. The constable turned to him at the table and said, "You ought to think yourself dern lucky he was lookin' at pants and not pianos".

It seems to me that it is to some such exercise of judicial discretion that our agitators would drive us at the present time, where, out of the catalog of offenses conclusions must be reached, rather than out of the heart and the head of the judge with the exercise of a wise and sound discretion.

Let us consider the matter for a moment. Ought we to deal with all those who offend against the law on rigid rules in order to preserve the safety of society? The answer in the first place is that not only in our own country but in other civilized countries, the discard has been practically universal of the notion that there is only one way to deal with the offender and that is to get even with him for the wrong that he has done. The outdoor reformatory treatment of the offender has spread from states like New York and Massachusetts to the point where the United States government by act of Congress has clothed the Federal courts with precisely that same broad discretionary power expressed in the original Massachusetts law which permits placement on probation of any suitable person who has committed an offense on such terms and conditions as the court may designate. Such is the simple language that has gone into our Federal Probation Law.

We have testimony from other countries, like England, showing that all recent contributions from those interested in correctional affairs is in support of the idea that the remedy for the evils which come from the wrongdoer, not only for the wrongdoer himself but society as a whole, lies in this method of dealing with the offender. The English expressions in recent months are emphatic along this line and other governments are taking

England's attitude as the key to the solution of their troubles of a criminal sort.

Then we have come to recognize that what was once a purely charitable impulse has to be restrained by a thought of what is for the good of society as well as the individual, so the whole policy of work with offenders has to subject itself to the test of whether it preserves peace, order and security in the community.

We certainly cannot but be more secure when we have done something for a man which makes of him a friend and not an enemy of society, which makes him an asset, not a liability, and that by the use of such devices as probation and parole. Through them we have readjusted the community, and for that old, wretchedly lame, fatal device of dropping a man out from the penal institution into the community, to find a place for himself in a most inhospitable, even antagonistic atmosphere, we have substituted—humanity. Our reformatory device and impulse is not a mistake, it is justified, not because we are interested in the individual, but because, by every test that can be applied—and we can freely make this challenge—the community is left safer and more secure. Under the rule of reason, common sense and discretion, that impulse which exists in every human heart of a desire to help and to build up instead of to crush if not to destroy, is given play.

Probation may not be the final solution for some cities' problems in dealing with the offender, but as it stands, it is the device which preëminently gives play to the desire of humanity to build up, and at the same time, because it demands complete knowledge about the persons with whom it is dealing instead of dealing with them in the dark, with very little knowledge of the past or even the present, it is on the advance to the front of our correctional processes. Because it is there, it has to meet the fire of the front rank, but it *is* there, notwithstanding all the uninformed, impulsive attacks against it and it is there to remain until society finds some better way of expressing the humane and helpful intent toward the relatively innocent offender than any yet discovered.

ADULT PROBATION IN NEW YORK

FRANK BRET THORN, *County Judge, Buffalo*

We, from New York State, have some satisfaction in the thought that our State was a pioneer in probation, that we have a State Probation Commission made up of practical people, whose supervision has already resulted in a system of value to the State.

The New York State Probation Commission was established in 1907. The duty of this commission is to supervise the administration of probation in the State, to systematize the work and in general to make probation practical. This commission receives from probation officers throughout the State, monthly and yearly reports and from these reports, as well as from personal investigations, it is evident that probation in New York State is used carefully and successfully.

To show the attitude of the State Probation Commission toward the work, let me quote from a review of the development and use of probation by Frederick A. Moran, Secretary of the Commission:

> "The Commission has never advocated and never will advocate probation as a cure-all or a treatment to be applied even once in every case. Since its creation it has pointed out that while probation is a valuable method, it cannot be used in all cases, even of juvenile offenders, as a proper substitute for commitment.
>
> "Probation is no panacea for crime. There is little doubt that from time to time offenders are released on probation who should not be, but no group has emphasized the need for carefully selecting the offenders who are to benefit by the system through careful and thorough preliminary social investigations before sentence, more than the probation officers and others interested in the sane development of the probation system.
>
> "Probation was never intended for the confirmed or habitual offender, the feeble minded, the psychopathic or the insane. Facts indicate, however, that judges in this state thoroughly realize their responsibility to the community and to offenders and in general have carefully selected those whom they place on probation."

Under the law establishing the State Probation Commission, the commission is required to meet at stated times, not less than once every two months, to exercise general supervision over probation officers throughout the State and to keep informed as to their work and to inquire into the conduct and efficiency of probation officers, to secure effective application of the system,

to collect and publish statistics, to make recommendations, to inform magistrates and probation officers of legislation directly affecting probation, to publish each year a list of all probation officers and make an annual report to the legislature. A mention of these duties shows how the work of the commission, when carried out, will help in an efficient administration of the probation law.

While the State Probation Commission was created in 1907, the first probation law was passed and approved by the Governor of the State of New York in 1901, and the first salaried probation officer was appointed in 1904. To-day, the number of paid probation officers in New York State is 425.

The selection of probation officers is not done in a haphazard way, but is by competitive civil service test, in which 30 per cent is allowed on written work and 70 per cent on an oral examination, listing personality and experience. A high school education, or its equivalent, is necessary, in most parts of the state, before one may enter an examination for probation officer. In one of the courts of New York City, the requirements are much more rigid. Police officials and officials connected with the enforcement of the criminal system are not considered desirable for probation work. Under our law probation cannot be extended to the convicted criminal offender whose crime is punishable by death or life imprisonment, and under an amendment to our penal law, passed this year, probation cannot be extended to a person convicted of a felony who, while in the commission of the crime, is armed with a dangerous weapon.

To emphasize the results of probation, let me quote from some figures compiled by the State Probation Commission from October 1, 1907 to September 30, 1925: The number placed on probation,—exclusive of juveniles, is 230,496. Nearly one per cent of this number were charged with misdemeanors or lesser offenses. In other words, only approximately 9 per cent of this number were felons. Classifying the charges by misdemeanors non-support tops the list, with disorderly conduct, petty larceny, public intoxication and assault in third degree following in the order named. In the classification of felony charges, grand larceny leads with burglary and assault next in number. Of this number 76.4 per cent have been discharged with improvement, 7 per cent discharged without improvement, 9.5 per cent have been re-arrested and 7.1 per cent absconded or lost from oversight.

The figures show that nearly half a million social or preliminary investigations were submitted to the courts by probation officers after conviction and before sentence of offenders. At least two million visits were made by probation officers in the course of their work during the period mentioned.

In our State the economic value of probation has never been questioned or doubted. Nearly $14,000,000 has been collected by probation officers, from probationers, in non-support and abandonment cases. Also, $6,500,000 has been paid over by probationers direct to beneficiaries under the supervision of probation officers. In addition, probation officers have collected nearly $2,500,000 from probationers in fines and restitution, making a grand total of nearly $23,000,000.

As for the work being done in Erie County, with which I am familiar, let me tell you about a case study of the efficacy of probation treatment which was made by the Erie County Probation Department at the request of the State Commission.

The methods adopted in making this study were both intensive and extensive. The first 200 individuals recorded under supervision in a certain year, during a period of almost five months, were selected for the study as being representative of the character of cases placed on probation in Erie County. A sufficient time had elapsed since their discharge from probation to insure a fair test of the value of probation treatment. The group had committed a total of 27 criminal offenses, among which were 17 felonies and 10 misdemeanors.

The average length of time these persons were under supervision was 13 months and 12 days, while the average period of time since their discharge from supervision was two and a half years. It took four months to gather the data, during which time an effort was made to obtain every possible bit of valuable information regarding the status of the persons under consideration.

Visits were made to the homes of relatives, employers and acquaintances, letters and questionnaires were sent to various agencies having had, or then having, official contact with the individuals. Institutions were consulted for official records, the Identification Bureau of the State Prison Department at Albany being especially useful.

There were 25 persons, exclusive of those who absconded while under supervision, who could not be located. Some of these were persons of foreign birth or were migrating workers,

transients, without home connections, making their movements frequent and difficult to trace. So 111 or 72.07 per cent of those discharged as improved in conduct were known to be still improving for investigation showed that they had not been arrested since their discharge and that their lives had been bettered socially and financially.

Ten, or 6.4 per cent, of those discharged as improved in conduct had been rearrested but at the time the survey was made were living in a socially acceptable manner and giving every indication of permanent adjustment to community life. Four had been rearrested since their discharge and were either confined in institutions or were at liberty but conducting themselves badly. It was concluded from these findings that probation had stood the test.

Before I close let me say that probation is used extensively in the cities and thickly populated sections of New York State and is spreading rapidly through our rural communities. In Erie County alone 107 justices of the peace have, at different times, called upon the Probation Department of our county for cooperation.

But, in my opinion, if probation is to be successful as a system, a State commission, such as that obtaining in New York, is required. Probation officers must be selected with care and be persons of high character and ability. They should be able to give their entire time to their work and be paid adequate salaries. Probation should be given publicity in order that its nature and purposes should be understood by people generally and that hostility may be removed from the minds of those who are prejudiced against it because of misinformation.

People who are interested in their fellows, who approve of the humane changes that have properly come into law, particularly into the criminal law, to-day believe in something other than institution treatment for that individual who may have been guilty of some infraction or violation of the law, particularly if his record has been good up to the time of the commission of the offense and particularly if the offense has been committed under serious temptation or by reason of some assault or wrong committed against him. We believe that both as a matter of economy in dollars and cents and because of the value in rehabilitating those who can be rehabilitated, probation should be practiced in carefully selected cases.

PROBATION IN OHIO

CARL V. WEYGANDT, *Judge, Court of Common Pleas of Cuyahoga County, Cleveland, Ohio*

As juvenile probation is much more generally accepted and practiced than is adult probation, I purpose to speak only of adult probation in Ohio, a comparatively recent practice in this state, dating back to January 1, 1922, when the first probation department was established by a Court of Common Pleas. There was a probation law before that time and some judges placed offenders on probation, but it was not until the above date that a specialized probation department as such was instituted. This was in Cuyahoga County, the only one of the eighty-eight counties to possess such a department.

There are still a few of the 131 trial judges of the state who are opposed to the idea of probation. Many judges who favor it live in small counties where the maintenance of a probation department would be prohibitive because of the cost and where it would also be unnecessary because of the small number of offenders. In some of the larger counties where the judges are taking advantage of the probation law the probationers are left either without supervision of any sort or else are placed under the care of the court bailiff or other court attache, or under the supervision of some local citizen who volunteers to do the work. In such counties investigation made by the trial judge preliminary to placing the offender on probation consists usually in calling in the parties interested in the case and discussing the matter with them. Among those who have given the subject of probation much thought it will doubtless be agreed that probation so administered can hardly be expected to prove successful from the standpoint of court, probationer, or the community. It is because of this situation that I am further limiting this discussion to the strictly practical side of my subject and to my own county. It is my hope that this may be done without presumption.

It is our practice as soon as a jury has rendered a verdict of guilty to refer the case to the probation department unless the facts brought out by the evidence clearly satisfy the trial judge that the question of probation should not be considered. The case is continued for a period of one week or ten days in order

to give the probation department ample opportunity to complete its investigation and prepare its report. In the preparation of this report the probation officer visits the home of the defendant, interviews acquaintances whose names have been given by the defendant, and also interviews people who can be expected to give an impartial statement as to the life, habits, and environment of the defendant. Of course this report gives the trial judge much information not admissible as evidence during the trial. When secured by an efficient, sincere, and well trained probation officer, this information is invaluable to a trial judge in determining the matter of probation. Under the Ohio statute no person convicted of murder, arson, burglary of an inhabited dwelling house, incest, sodomy, rape without consent, assault with intent to rape, or administering poison may have the benefit of probation. However, in certain cases I have made it a practice to go beyond the strict letter of the law and refer an occasional case of this sort to our probation department for the single purpose of obtaining further information to assist me in determining a proper sentence. While the law does not specifically authorize the use of a probation officer for this purpose, there is nothing inherently wrong or even unconstitutional in injecting the element of intelligence into the administration of justice wherever possible.

Since the establishment of our department, January 1, 1922, the total number of persons placed on probation is 744. Of this number the total who violated the conditions of probation during the four-year period was 174, representing 23 per cent in whose cases probation failed as against 77 per cent of successful probation cases. Another significant fact is that of those placed on probation only 30 (3 per cent) were rearrested for other offenses either during the probation period or subsequent thereto.

Like the probation laws of most states, the Ohio law, until last year, provided for the sentencing of a probationer and then the suspension of the execution of that sentence for a period of from one to two years. The law now provides for the suspension of the imposition of the sentence. Of course, if the defendant violates the terms of his probation at any time during the probationary period he is simply called into court, sentence imposed and immediately executed.

Valuable as is the investigation work of the Probation Department, its work during the period of probation is even

more so. The probationers are required to report personally to the probation officer at least once each week. In addition to this the probation officer makes it his duty to visit the probationer's home and his employer to make certain that everything possible is being done for his assistance. If the probationer is without work the officer's duty is to assist in finding work for the probationer. This is genuine community service of the highest type and work that requires not merely an ordinary court attache but a person with special fitness by reason of knowledge, training, and aptitude. It is work which, properly performed, can never be fully compensated by the taxpayers of the community.

One argument most commonly used against the probation idea is its expense. Of course if probation is a success the matter of expense should be the last argument to be considered against it. However, even from the standpoint of expense probation has unqualifiedly demonstrated its superiority. The average cost of probation per year for each case in our court is $32.00; the cost per inmate at the State Penitentiary is $214.00; at the Reformatory, $258.00. Some one may urge that the penitentiary and reformatory costs are paid by the state, while the probationary costs are paid by Cuyahoga County alone. That argument is easily met by the fact that Cuyahoga County pays such a large percentage of the total tax of the state that its share of the cost of maintenance of prisoners in the state institutions is much greater than the $32.00 per person cost of probation.

It has been argued by the opponents of probation that all defendants should be sentenced to a state institution, from which they may be paroled if the facts of their case warrant. But the state is not equipped with parole officers to give supervision such as is given by the probation officers. The Boys' Industrial School has four parole officers supervising 1,150 wards over the 88 counties, which gives each officer from 250 to 350 boys to look after. One officer, for example, has had as many as 27 counties under his supervision. The Girls' Industrial School has five parole officers, each officer covering from 9 to 27 counties and having from 87 to 162 girls to supervise. The Ohio State Reformatory has three officers for 88 counties and attempts to supervise from 1,000 to 1,400 men paroled each year. The Ohio Reformatory for Women has two officers who attempt to supervise from 240 to 275 women. The Ohio Penitentiary has three

parole officers assigned as follows: One at Columbus, covering 34 counties in the southeastern part of Ohio with 184 men; a second whose work covers 34 counties from Cincinnati to Toledo in western Ohio, with 228 men; a third located in Cleveland and covering 20 counties in northeastern Ohio, with 213 men. It certainly is obvious that close personal supervision under such circumstances is out of the question, and simply means that most reports are made in the form of a letter to the officer.

Some examples of the practical operation of our probation department may be of interest. In one case a woman was indicted on the rather mild charge of driving a mortgaged motor vehicle out of the state. The jury promptly found her guilty and she immediately asked me to place her on probation. She and her witnesses stated that she was a woman who had always lived a good life and that this was the first time she had ever been caught in the toils of the law. I had, of course, never heard of her until her case was sent to my court room for trial, so upon her request I referred her case to the probation department for investigation to determine whether she was a proper person to be placed on probation. The probation officer promptly went to work and in a few days presented me with a report showing that the defendant had served two or three workhouse sentences, that she had been operating houses of prostitution in both Cleveland and Akron, and that one of her specialties was providing white girls for the entertainment of colored men. Needless to say, she was promptly given the maximum penalty provided by law and was not placed on probation.

In another case a man was convicted of automobile manslaughter because while intoxicated he had struck a pedestrian. He asked to be placed on probation. Ordinarily a manslaughter charge is one requiring a court to exercise the greatest care before deciding in favor of probation. However, in justice to the defendant, I referred the matter to our department. The report showed that the defendant had never before been guilty of violation of the law, that for quite a number of years he had been a steady employee of a reliable concern in this city; that he had a wife and two small children, and that he had been a good and faithful husband and father, except that he occasionally became intoxicated. However, the fact remained that the man he had struck and killed was likewise a good citizen with a wife and two small children. I sent the report back to the probation department for a supplemental investigation as to

certain particulars, and then sat down to try to figure out a method of disposing of the case which would be best for all concerned. I then had all the parties brought into court and asked the defendant whether, if placed on probation, he would be willing over a certain period of years to equally divide his pay check between his own wife and two children and the widow and two children of the man he struck and killed. Both parties were given a week to think about the matter and then came in and reported to me that the plan was very acceptable to them. I decided to place the defendant on probation. He is being punished because he has a five-year sentence hanging menacingly over his head and is compelled to divide his pay check between the two families each week. However, even more important, in my judgment, than the single question of punishment is the fact that the defendant is self-sustaining instead of being sustained by the state; he is sustaining not only his own wife and two children but is doing the same for the widow and two children of the man he killed. According to their practice, the probation officers are carefully following the case and are reporting to me that the defendant is not only behaving himself and working hard every day, but that one-half of his pay check goes to the widow regularly each week, thereby saving both families from becoming public charges. If this defendant had been incarcerated in the penitentiary, of what benefit would it have been to him, to his family, to the family of the deceased, or to society?

Ohio unfortunately is far from being a leader in the work of probation, but the experiment thus far has measured up to everything expected of it and I feel confident that the future will bring a state-wide probation department which will make it possible to give the offenders of all counties the benefit of this most salutary law.

WHERE ARE WE IN ADULT PROBATION WORK?

FREDERICK A. MORAN, *Secretary, New York State Probation Commission, Albany*

Our Modern Fears

Thoughtful students of human society have, during the past seven years, been struck by the development during this post-war period of a new pessimism. The men and women who,

through their writing, are shaping our thoughts and ideals tell us that society is spiritually bankrupt, and that western civilization is in the grip of a sordid materialism. Our present-day self-appointed prophets, the supposedly inspired predictors of the future, are prophets of despair. From their ivory towers the biologist, the psychologist, the politician, the economist, the historian, the executive and the moralist utter their pronouncements, and fundamentally they are all the same; namely, that western civilization is doomed.

Mr. Glenn Frank, formerly editor of The Century Magazine and now President of Wisconsin University, has well stated during the past four years in the pages of The Century Magazine, the fears of these various leaders. He tells us that the biologist fears that the best families are having the smallest families, and the worst families are having the largest families, and if this procedure goes on the race sooner or later faces biologic bankruptcy. The psychologist fears that the crowd processes of thinking are shoving to the wall the freedom-loving and creative-minded individual that society has depended upon for intellectual and social advance. Individuals interested in the workings of the democratic form of government are expressing the fear that democracy is not delivering the goods, while the economist is afraid that a civilization that rests upon machine production and quantity output kills the souls of the people who accept it. The historian fears that the lives of nations and civilizations move in cycles, and he has drawn neat charts of the cycle of western civilization showing that we are drawing toward the end of a great adventure. Then there is what Glenn Frank terms the administrative fear, the fear that civilization has become so big and so complex that the management of the modern world has outstripped the existing administrative capacity of the race. And our moralists, at least the most vocal of them, fear that the present generation has renounced allegiance to all wholesome standards of thought and conduct and is quite definitely on the loose, morally adrift without rudder or compass.

Severe Penalties Do Not Deter Crime

Now all this seems a far cry from the subject—"Where Are We in Adult Probation Work?"—but social work, more particularly that division of social work which has to do with the rehabilitation of offenders against society through probation, has its full share of gloomy prophets, who are telling us that

there is to be a rebirth of the retributive idea of punishment, that the contributions made during the past twenty-five years by social workers, psychologists and psychiatrists to an understanding of human behavior are to be cast aside and society is to return to the dark and bloody period in which it put its thumbs down and demanded an eye for an eye and a tooth for a tooth.

The assertions regarding the renaissance of the retributive idea of punishment are based upon the frequency of "crime waves"; the attitude of the public toward perpetrators of crimes of violence; the efforts of business organizations to increase the penalties meted out to offenders who commit crimes against the person or property; the attacks upon the probation and parole systems; the wide publicity given to public addresses in which pleas are made for the revival of such a grotesque anachronism as the whipping post, and of prisons that have not the ordinary decencies of life; and the outstanding failure of leaders in the fields of probation and parole to interpret intelligently to the public the basic principles underlying their work.

Now we can, like Mark Twain, dismiss the ideas put forth by these prophets of despair by saying that no one has a right to be pessimistic unless he has lived long and thought deeply, or we can say with one of our modern sophisticates, that since the world is what it is, we must expect deep gloom from some of the monstrously clever people who inhabit it. But the fact remains that there is enough truth in the indictments brought against the probation system by its critics to make individuals who believe firmly in the idea of probation stop and evaluate and if necessary criticize not the theory of probation, because the theory of probation cannot be questioned, but its administration and try to discover why in actual practice the technique of probation work lags so woefully behind the accepted theories of what good probation work ought to be.

While a few remaining states, not more than thirteen, have no legal provisions for adult probation, and while in a majority of the states having adult probation laws, limitations have been placed upon the use of probation, in regard to the seriousness of the offense, previous conviction, etc., the use of probation as a method of social control is increasing each year. It is now generally accepted that probation has a definite place in the correctional system of every state. Only a year ago at the International Prison Congress held in London, a resolution urging

that "the system of probation should be extended to its utmost extent"* was adopted. Probation is and has proven to be a sensible and effective method of treating offenders, and even the most pessimistic individual cannot carp regarding the swiftness with which state after state has enacted adult probation laws and the increasing use of probation for adult offenders. But when the technique of probation is evaluated one is apt to agree, provided, of course, that one's knowledge of probation is not limited to one court or one community, with the statement made by Dr. Kirchwey in Professor Tufts' book, "Education and Training for Social Work," that "the probation system is the slatternly Cinderella of social work."

Probation is used more extensively by the courts of Massachusetts, New Jersey and New York than any other courts of the country. It is generally admitted by leaders with national experience in probation work that the probation systems of these three states are far in advance of those of other states, so possibly it will offend no one to use New York State not as a model but as an example. The discussion regarding the supervision given to offenders released by the courts on probation and the administration of probation is based upon a few of the "Standards of Probation" compiled by Mr. Edwin J. Cooley, formerly Chief Probation Officer of the New York City Magistrates' Courts, and now in charge of the probation demonstration being carried on in the New York Court of General Sessions.

Why Social Investigations?

"Before placing a person on probation judges should require a complete social investigation of the facts by probation officers. Such an investigation should cover a study of the defendant, including a mental and physical examination, social history and religious background, family and home conditions, causal factors, circumstances of offense and recommendations for treatment."

If any value is placed upon human personality; if judges and probation officers really want to protect society and help the offenders appearing before the courts, it will be readily admitted that a preliminary or social investigation ought to include the points enumerated, but the guess is hazarded that even today in few courts are thorough social investigations made. The results of the failure to make preliminary investigations are that not only are persons placed on probation who never should be, but the failure to obtain sufficient information regarding offenders results in a lack of sufficient facts on which

to diagnose the needs of probationers or to build up intelligent plans for treatment.

Representatives of correctional institutions who are not opposed to the theory of probation but who view with alarm the type of offenders being committed to institutions have a penchant for citing, and with considerable justice, cases where suspended sentences or probation or both have been tried and failed, not once but from nine to fifteen times. The placing of offenders on probation without thorough social investigation is a menace to the probation system. The fact that in a state like New York in one year 7,000 more preliminary or social investigations are made than the number of individuals placed on probation does not minimize the evil, for the bald fact remains that too many of those placed on probation have been released by the courts with insufficient knowledge on the part of the judges or the probation officers as to the social background of the offenders.

Within the month, Chief Justice McAdoo of the New York City Magistrates' Courts has reminded his judges that "the present probation system in the Magistrates' Courts is based upon the idea that no one shall be put upon probation until the probation officer has made a thorough field investigation as to all the facts relating to the defendant." And in his wisdom, Judge McAdoo added, "Probation will certainly fail if we magistrates give probation to a defendant upon statements of paid counsel or friends whose character may be good or bad. Counsel is paid to make flattering statements and minimize the defendant's case. . . . The only way that probation can be carried out successfully and with justice to the community is that the defendant be remanded and the probation officer given an opportunity to ascertain all the facts."

A study of the records of selected individuals committed to institutions who were failures on probation shows that in general no adequate preliminary social investigations were made and that the probation supervision which the defendants received was neither constructive nor intensive. *Responsibility for the kind of probation service a court has is the responsibility of the judge* and in fairness to the offender as well as to society a judge should have real knowledge of the social background of the offender before returning him to the community, and he should also have a knowledge of the proposed plan of treatment his probation officer has made for the rehabilitation of the offender.

Should the Habitual Offender, the Feeble-Minded or the Psychopathic Be Placed on Probation?

"Earnest effort should be made to induce judges not to place on probation the definitely feeble-minded, confirmed inebriates and drug addicts or habitual offenders. Unfit subjects on probation destroy the confidence of the public in the system and lower the efficiency of the probation officers."

Under present conditions we are apt to agree that this is a sensible standard, but one wonders if in this accepted standard one of the outstanding weaknesses of the present probation system is not indicated, and that is the fixing of policy, the drawing of conclusions from too few facts. We say that probation laws should not place upon the courts any limitations regarding who should be placed on probation, that the study of the individual offender should determine this, and then, in practice, we specifically state the types who should not be given another chance. Ten years ago it was the general conclusion of social workers that the sooner all the feeble-minded could be placed in institutions, the sooner society would be saved. We were prevented from doing this, due primarily to the fact that the cost to the taxpayers would be enormous. And what happened? Throughout the country the superintendents of institutions for the feeble-minded began experimenting first with farm colonies, and then the paroling of the feeble-minded back into the community. Today it is generally accepted that all the feeble-minded are not criminally inclined, and that some of them, like individuals with normal mentality, make good workingmen, and some of them again, like normal individuals, inhibit their sex urges.

Do we know of any instance in which well trained probation officers have specialized and given intensive supervision to the feeble-minded or to drug addicts? Do we really know whether or not psychopaths are fit subjects for probation? We have the general impression that they are not. But we do not really know from actual experience.

In the probation field we have had neither the time, the money, nor the opportunity to develop research workers who would study and evaluate the results of probation treatment. The value of the few studies that have been made regarding the results of probation may well be questioned, for it is doubtful if anyone can maintain a scientific attitude when the piece of work studied and evaluated is one's own. Probation cannot be all

things to all men. But there is a very real danger in placing limitations as to who should and should not be placed on probation before more is known about the changing of human behavior and before intensive, intelligent probation supervision has been tried with the groups that it is now dogmatically asserted should not be given another chance.

Physical and Mental Examinations

"Probation should be made in all courts to secure the services of physicians, psychiatrists, and psychologists to examine defendants before sentence. Probation officers should take steps to obtain this coöperation where no provision has been made for it by the court."

Here is another standard that is generally accepted in theory and only occasionally put into practice. Yet if we are ever to understand the drives or urges responsible for delinquency, judges and probation officers must not only have a knowledge of the contributions made by psychiatrists and psychologists to our understanding of human behavior, but must utilize in the treatment of delinquents the specialized knowledge of experts. The budgets of many courts do not permit the employment of specialists but it is possible for probation officers through cooperation to make use of the services of specialists. New York State is a rural State. Of its 62 counties more than 50 per cent have populations of less than 100,000, and yet the courts of these small rural communities, through the vision and coöperation of the State Commission for Mental Defectives, are to have without cost to the county the regular services not only of well trained psychiatrists, but of well trained psychiatric social workers to make mental and physical examinations and to suggest treatment.

A Plan of Treatment Should Be Formulated

"As soon as possible after the court places an individual on probation it is important that the probation officer should see the probationer entirely alone, and explain carefully the general and particular conditions of probation. Visits to the home and to other places to secure additional information and coöperation should be the next step. A plan of treatment ment should then be formulated subject to modification as probation progresses."

How few probation departments there are where a plan of treatment is formulated when a person is received on probation, or later modified to meet new situations! In New York State

there may possibly be five probation departments where such a procedure is followed. Is not our treatment of probationers still in general a sort of hit or miss method? Do we not sometimes wonder if the probationer would not have made equally as intelligent adjustments without the kind of aid he receives from us? How few are the cases in which we ever know what we desire to accomplish? Because we do not know, not only is valuable time lost, but the probationer and society are cheated. Here is where theory (and this particular one is workable) is far ahead of practice. Our failure to make plans for our probationers is one of the outstanding weaknesses of probation treatment.

Reporting

*"True probation work consists of definite constructive effort to help probationers by means of kindly guidance, home visiting and practical service. Perfunctory supervision consisting principally of reports to the probation office is not real probation work. Home visits at least once every two weeks are essential. * * * A constant endeavor should be made to vary the probation methods of treatment to meet the special needs of each individual, to better the conditions of probationers and to develop a more personal and intimate study and contact with them. Points of concentration should be the family, health, education, employment, recreation and spiritual development. Consideration should also be given to language and racial background and psychology."*

It is in actual probation treatment that probation lags so notoriously behind the accepted theories of what good probation work is. The reporting of probationers to probation officers and not home visits is still the keystone of probation supervision. Reporting is good, we are told, because it disciplines the offender. But when reporting consists, as it too frequently does, of the asking of a few stereotyped questions, the marking of a card, or a lecture on the virtue of promptness in the making of reports, it is negative discipline. Is negative discipline what socially-minded probation officers wish to inflict upon the helpless individuals entrusted to their care? In few probation departments is reporting used as a means of changing habits or substituting desirable new habits for questionable old ones. It is not necessary to be a trained psychologist or psychiatrist to realize what a Herculean task it is to change habits or to form new ones. All we have to do is to consider our own experience. If we have ever tried to form a simple habit, say of getting up at a fixed time each morning, we have some knowledge of the eternal vigilance

that must be exercised before the action becomes habitual. It is so simple to give advice; in fact advice is a drug on the market, and if the production of it followed any economic law there would be perpetual advice panics, for it is a commodity in which there is a constant over-production and an under-consumption. It is so simple for probation officers who have no real knowledge of the problems confronting their charges to say that they must avoid undesirable companions; it is easy to be critical when the advice is not heeded. If, for example, probation officers were forced to stay in a strange community for a few days where they knew no one, they would begin to understand what loneliness is, and possibly they would have a better understanding of why probationers maintain relations with individuals who are deemed undesirable companions. Or if they had ever lived in a non-English speaking country and had come under the classification of foreigner, their attitude toward the immigrants they are supervising on probation would be much more sympathetic than that of an individual who never has had to struggle to adjust himself to a new environment or to learn a strange language in order to get enough to eat or to arrive at a desired destination.

In few probation departments are probation officers using their imaginations and utilizing the visits of probationers as an opportunity for constructive help. In general, probation technique has not advanced beyond the stage of "ordering and forbidding". The importance and value of home and other visits in probation treatment is generally accepted by all probation officers. Certainly, the minimum for such visits ought to be once every two weeks, but in the treatment of probationers we are far from this minimum standard. Home visits in New York State are made, generally speaking, at intervals of about six weeks, with an average of less than eight home visits a year. The time spent in visits to the homes of probationers varies but the average amount of time given by probation officers to the making of these visits is from ten to fifteen minutes.

Probation officers may have all the elaborate definitions of what probation is that they may care to have, but fundamentally *probation is simply changing the habits of individuals and enlarging their group relationships.* If the probation officer and probationer meet only occasionally, and home visits are infrequent and brief, can it logically be expected that the conduct of probationers will be revolutionized because they have heard the

magic word "probation"? Probation officers especially need to remember and accept Carlyle's wise dictum that "No man need have gone to ruin could he have found a man great enough, a man wise and good enough, who had the vision or the wisdom to discern truly what was needed and valor to supply the need."

Religion

"Religion is one of the most potent factors in reforming character. Probation officers should be careful to respect the religious convictions and connections of their probationers and should secure the friendly coöperation of clergymen and religious organizations of the same faith as that of the probationer."

Few of us would question the part religion plays in the life of the normal individual, yet the possibilities for coöperation with the various religious groups have not been touched either by probation officers or other social workers. Too many probation officers feel that they have adhered to the letter of the law and done everything they ought to do, when they tell the minister, the priest or the rabbi that one of his flock has been placed on probation. Judges and probation officers still seem to get a vicarious thrill of righteousness from imposing, as one of the conditions of probation, a rule that the probationer must attend church or Sunday school regularly, as if this accomplished anything real. Probation officers need to do something more than that. We need a belief and understanding based upon real knowledge so that we will not continue to underestimate the contribution religion can make and has made through all the ages, in the changing of character.

Employment

"Probationers should be helped as much as possible to get suitable work and to succeed in it. Interest of employers should be secured and coöperation with employment bureaus maintained. In large offices a bureau of employment should be established. Vocational guidance should be used, particularly in the problems of boys and girls of working age. Employers should not be generally told that employees are on probation unless known to be willing to employ probationers. Probationers should be sent only to places where proper standards of work are maintained."

The majority of probation officers have developed a real technique in securing work for their probationers. In a number of city probation departments a bureau of employment has been established with a probation officer in charge, while in the smaller

communities probation officers naturally depend upon their acquaintances or personal friendship with employers of labor who are willing to use the services of the probationers. Except in one or two of our large cities probation officers have wisely not acted in the capacity of vocational advisers but have, when such service is available, made use of trained advisers.

Probation Officers

*"Definite qualifications as to character, ability and training should be required of those who seek to become probation officers. Merit and fitness alone should be the basis of appointment. * * * Probation officers should play an increasingly important part in the broader movements of the day looking toward the improvement of living conditions and the prevention of delinquency and other social ills. * * * The salaries of probation officers should be made commensurate with the importance of the work and should be high enough to attract and hold well qualified men and women in the service. Increases should be based on records of service and efficiency."*

All these desirable qualifications enumerated are certainly needed if a probation officer is to be successful, and is to make probation work a career. Inquiry will reveal, however, that, as a branch of public service, the probation system is too much a prey of partisan politics. Its officers are far too few, too greatly underpaid, and too generally untrained to cope successfully with the task committed to them. Of course few social workers of the courts expect to receive as much for labors as a carpenter, a mason or a bricklayer. But we who believe so firmly in the future of probation and realize so keenly that competition exists in the field of social service as it does in business, must feel a pang of regret that probation cannot at the present time bid successfully for the services of properly qualified individuals to act as probation officers. The average salary of the 125 probation officers serving the courts of New York State, outside of greater New York,* after an average length of service of eight years equals about $31.05 a week or $1650 a year. So it is not to be wondered at if there are only a few courts in the United States that have definite standards regarding the educational background of the persons selected to serve as probation officers. Because of these inadequate salaries men and women with desirable educational qualifications and with specialized training

* In the New York City Magistrates' Courts and the New York Court of Special Sessions, the salaries paid to probation officers range from $1560 to $2613; in the New York City Children's Court from $1560 to $2455.

are entering other fields of social service. Even individuals who specialize in probation work in our schools of social work have at the present time, due to local or state restrictions, little assurance of employment. The probation field is cluttered with well-meaning men and women who possibly have served their communities well but who should be pensioned. It is too much to expect that they will be interested in or informed on new methods of social work.

Because of lack of training, personality or knowledge, only a limited number of probation officers play an important part in the broader movements of the day. In no sense can the majority of probation officers be considered community leaders. In reality a number are "shut-in personalities", yet these are the officers who are inclined to be critical and caustic of the probation officers who are real leaders and of new methods of work. The fact that they have acted as probation officers from ten to twenty years seems to them sufficient reason for closing their minds to any new ideas or experiments. If their subordinates or associates accept any of these new fangled notions that are abroad, they are apt to laugh at them. It is difficult, if not impossible, to explain to probation officers who have served in courts for fifteen or more years without increased compensation why they cannot get adequate salaries, clerical help, additional officers or decent office quarters, because they would be offended if they were told that they did not "play the game" with social agencies and socially minded citizens who could interpret their work to the public, that they suffered from what is generally called an "inferiority complex" and are as scared of their judges as rabbits are of hunters and that the judges know this and have little respect for them. There seem to be only two types of probation officers, chiefs or assistants,—the ones that the judges accept and treat as equals, and the ones they do not. Unfortunately there are too many of the kind they do not accept.

Can the National Probation Association do anything more constructive than assist probation officers, judges and socially minded citizens in educating the proper fiscal authorities and the public as to the need for paying salaries that not only will allow probation officers to live with frugal decency, but will attract individuals who are not only well intentioned but are equipped by personality, training and experience to deal with the maladjusted?

The Administration of the Probation System; The Assignment of Probationers on the Basis of Personality

"The system of individual assignment on the basis of personality is of advantage and practicable in communities in which the distances to be travelled permit an officer to get around to different parts of the city or country without a great loss of time. In the large cities the district system of assignment is a necessity."

When probation comes into its own and a sufficient number of trained probation officers are employed, the system of individual assignment on the basis of personality will be extensively used. It can not be expected that one probation officer will, or can, make the same appeal to every one of the persons placed under his care. Once it is accepted that probation is essentially an educational process, and that the personality of the probation officer plays the major part in this process, a real step forward will have been made. In these days hero worship is not fashionable, so the statement that Carlyle makes in his essay on "Heroes and Hero Worship" that "no nobler feeling than this of admiration for one higher than himself dwells in the breast of man", may be accepted by only a few, but unless probation officers have magnetic personalities and can develop this sense of admiration in their charges, unless probationers feel that the probation officer has character and is in the best sense of the word, something of a hero, the task of the social workers of the courts to change the habits of their probationers will be a difficult if not an impossible one.

An Esprit de Corps Necessary

"An esprit de corps and team work should be cultivated in every group of probation officers. Weekly conferences of members of the staff at which common problems and difficult probation cases are discussed are desirable."

In large courts, employing a number of probation officers, generally with a chief probation officer of the right personality heading up the work, the esprit de corps existing between the officers is good, due unquestionably in part to the work of the chief probation officer, but also to such other factors as distribution of the area to be covered, use of specialized courts, etc. The work is thus so divided and specialized that there is little opportunity for personalities to clash. There is no profession, however, that does not number among its members individuals who are critical of the practices and procedures of other mem-

bers of their profession and who openly or privately give vent to destructive criticism. But in so far as probation work is concerned, it is in courts where from two to ten probation officers are employed that a desirable esprit de corps is notably lacking. This may be due to the fact that the tasks of the probation officers are not specialized, and small human factors, trivial misunderstandings, that ought to have little bearing on the work of people having a common aim, often result in creating in the probation department an atmosphere of antagonism, suspicion and doubtful loyalty.

The theory regarding the value of weekly conferences to discuss common problems and difficult probation cases can not be questioned, provided that thought and care are used in preparing the material to be presented at these conferences and that the individual responsible for directing these conferences does not allow them to degenerate into mere talk fests. Without skillful direction there is grave danger that just this will happen. What is of much more fundamental importance than weekly case conferences is that in every probation department where three or more officers are employed there should be employed an experienced case worker to act as a case supervisor.

Summary

When probation is properly evaluated, its value to all the members of the community will not be based upon terms of its economy, the amount of money collected from non-supporting husbands or for fines paid in instalments, or the number of jobs found. There will be only one standard for successful probation work, and that will be,—Was the probation treatment given effective in changing the point of view or the habits of the probationer? Does he look at life in a different way?

Anyone who has studied the development of probation work during the past twenty-five years will readily admit that real progress has been made and that we have been fairly successful in convincing the general public that probation has a definite place in our correctional system. We have, through necessity, up until the present time, been out and out propagandists and possibly we have been too busy selling the idea of probation to keep our technique of work abreast of modern thought and methods. So the future lies before us. We have, to quote Judge Hulbert, a former President of the National Probation Associ-

ation, "established a system which has been acknowledged and accepted by both the public and the courts throughout our country. We have experimented long enough to learn the faults in our work. We have the knowledge to make it possible for us to select the type of individuals who can successfully treat and help the probationer. There have been created for us, by the medical profession, clinics which can successfully digest our material and tell us with almost scientific precision what we can safely expect from it and thereby save most of what would otherwise be our losses. And there is ample material at hand to enable every judge to make such a study of his work as will enable him to deal successfully with his problems. There remain only those extremely practical problems of making the social treatment of delinquency a profession which will appeal as strongly to the individual with proper qualifications as do the older and better understood professions of the law, medicine, and the arts, and of bringing the compensation for such work to the point where the sacrifices demanded of the worker will at least be no greater than those now demanded in the fields of education and art. Have we the courage to do it? Time only will tell. But certain it is, unless we do, probation work is a thing which will pass, as have many other worthy efforts of society where actual practice did not reach a point which was commensurate with what our knowledge and understanding had promised."

GETTING ALONG WITH THE COURTS

JOHN W. HOUSTON, *Chief Adult Probation Officer, Chicago*

I do not know why I was selected for this subject unless it was because, having been a judge of two courts myself, and having been getting along with thirty or forty judges of the Municipal Court and forty judges of the Circuit and Superior Courts, I ought to be well qualified.

I'll have to confess to you that I have not always got along with all of them, and I will have to confess also that they didn't always agree with my idea of what should be done in particular cases. But when I come to think it over I must come to the conclusion that the judge was looking at it from the standpoint of a judge on the bench, having heard the evidence, and I was looking at the matter from the standpoint of a probation officer

who had to take over the supervision of the defendant and attempt to clean up his conduct.

We sometimes do not understand the difficulties a judge has in coming to a decision on the question of granting probation, and the judge doesn't always see the difficulties we have, and it often happens that we are not in a position to tell him because he is not in a position to listen to us. I have found this rule works in nearly all cases: Mold your conduct to the ideas expressed by the judge. He is the boss and whatever he orders do it willingly and thoroughly. In order to get along at all the probation officer must have the confidence of the court, and must never in any case abuse that confidence. Whether it is in investigations prior to probation or reports of supervision, the officer must be absolutely truthful. He must not assert to the court that something is a fact unless he knows it to be true. It is a common thing in my office to have an officer say to me: "Why this man isn't fit to be on probation; he should have been sent to jail; the judge has no business to allow him to be put on probation at all." That is not the right spirit.

In my department in Chicago, (and it is not a small one; during the last fiscal year we received about six thousand people on probation), I have constantly to remind the officers that they must not criticize the court, that they will naturally always get a certain number of bad cases; if they weren't bad they wouldn't be put on probation; that it is not only their duty but their privilege to do their utmost to turn bad probationers ino good citizens if possible.

In your intercourse with the presiding judge at a trial you must be as diplomatic as if you were the American ambassador to the Court of St. James. You will find that judges are just as human as other citizens, just as different in their temperaments, and just as different in their mannerisms and their judgments. What one judge will do another will refuse to do; what one judge thinks is a good report another will say is worthless. You can almost tell, if you know a man before he is elected, the kind of a judge he will make; his temperament will usually govern. I have known judges to bawl out probation officers when they were doing their exact legal duty. Those are things that the probation officer has to take whether he likes it or not. He is an officer of the court and the court is supreme, and if the judge wants to do such things that is his privilege. We have

had several instances of that kind, and while it makes us very angry, we try to take it with a smile.

We are harassed all the time by volunteer private organizations on the outside who believe that a person who has committed an offense against the public ought never be put on probation, but because they can't succeed in killing probation, as a sort of compromise, they want to pass a law which will limit the kind of offense for which the court may admit to probation. Let us see: A judge is elected presumably for his ability as a lawyer, his judgment and his reputation. He is authorized by law in the hearing of a criminal case to pass on the question of the guilt or innocence of the defendant. He has the right to find him not guilty of any offense or he has the right to find him guilty and send him to an institution as the penalty. In other words he has the power to go from one extreme to the other; and yet these hard-boiled business men say that he must not have the power to do something that is between the two, that is, admit to probation and continue the case under the supervision of a court officer to find out if he intends to do the right thing. In other words they trust him with life and liberty, but refuse to trust him with the power of probation. *If a judge cannot be trusted to use his judgment on the question of probation he never should have been elected and is not fit to be on the bench.*

A good many of these so-called hard-boiled business men who are members and contributors to these organizations are the kind of men who give large sums with one hand toward the suppression of crime, and with the other hand pay large sums to their private bootleggers. They don't seem to see or care to know that by so doing they are promoting crime on the one hand and trying to suppress that same crime with the other.

Not going into the question of whether the dry law is or is not a success, or whether I am a dry or a wet, I am firm in this belief, that no banker or big business man is a good citizen who does not obey all the laws of the land whether he thinks they should be on the statute books or not. Some judges are charged with convicting men for having a flask of whiskey in their pockets when they themselves have their locker at their club full of stuff purchased from their private bootlegger.

It is my belief that the judges should use probation in the most conservative manner, but I know that they have a hard time deciding that question because great pressure is brought to

bear on them by the family of the defendant and his friends to grant probation. That is done because the family always suffers far more than the offender himself if he is sent away. The father and mother will often spend their last dollar to save their child from punishment, not so much because he or she does not deserve it, but for the reason that it affects their pride and social standing. The family nearly always believes the son in his protestations of innocence, or of lack of intention, and it is often very difficult to make them believe what the culprit himself has already confessed. A judge must be strong indeed to resist such pressure.

To show how trivial are the excuses offered for wrongdoing, I will give one or two instances: Only a few days ago a young man who drove the car which was used to get away insisted that he was not guilty of the pay-roll robbery because he did not actually hold up the parties. A few days ago a woman excused herself to me by saying that she "only took a few dollars' worth of merchandise from people who had millions, and they must have stolen most of it or they wouldn't have so much." A young woman who was convicted of an offense against public morals made the excuse that she "married a man for his bright, blue eyes and drew a gold brick for a meal ticket." These and many others are excuses offered for wrongdoing by offenders.

A judge when he is elected wants to get a second term and uses his diplomacy and his good judgment to that end. Do not think for a minute that in a large city like Chicago the majority of the public are impressed by a judge's good qualities. They don't know anything about them, and, as a matter of fact, the political parties are so evenly divided that the underworld often is the deciding factor. I am sorry to say that in large cities the fact that a man is indorsed by a large majority of the Bar Association and the high-class citizens does not by any means insure his nomination or election.

Under those circumstances you cannot expect judges to be perfect, and it has been truthfully said that "a constituency gets only the kind of representatives and judges it is entitled to."

PROBATION IN A RURAL TERRITORY

E. P. Volz, *Deputy Chief Probation Officer, Erie County, Buffalo, New York*

Until seven years ago the Probation Department of Erie County, New York, was rendering urban probation service almost exclusively. In other words nearly all of our probationers lived in the City of Buffalo, had committed offenses in the city and were placed under our supervision in our Courts of Record. At that time, however, we began to give serious thought to the supervision of the rural delinquent, in spite of the fact that we were not at the time physically equipped to extend our service. Our work in the rural communities now practically equals in volume our city work. Perhaps the methods that were employed in organizing and developing this very important part of our work, and the problems that were met and solved in that process will be of interest.

The county of Erie outside the City of Buffalo is made up of seventeen towns and sixty-three villages. Its area is about 1,000 square miles and population in excess of 100,000. The communities vary considerably in character. There is the country village—the trading center for a surrounding agricultural district, with a population in most instances made up mainly of native born old American stock. Outside these villages, within two or three miles perhaps, there are little aggregations of people not big enough for a village group nor yet wholly isolated on scattered farms. These aggregations are usually found at crossroads or along some secondary highway. As a rule the moral standards of these little groups are apt to be lower than in the villages as there is invariably less intelligence and activity to be found in their midst. Still farther away we come to the isolated farm where much of our rural delinquency is found and where very often the problems are most difficult to cope with.

Our first step in organizing the rural work consisted of sending to the 107 justices of the peace in Erie County a questionnaire to ascertain the number of cases heard by them during the year, character of the offenses and the dispositions made. When this information came in we compiled the data and gave the results to these same justices. At the same time we asked

them to attend a meeting at the county seat to which judges of the higher courts familiar with the use of probation, members of the State Probation Commission and other officials having jurisdiction over the work, had been invited. The meeting was very well attended and a resolution was adopted requesting the Board of Supervisors to provide financial means to develop and carry on the rural probation work. Soon afterward the Board did authorize the appointment of three probation officers to serve in the rural communities and at the same time appropriated funds with which to purchase and maintain automobiles.

The training of the officers for the work required about four months during which time they became familiar with the probation law, procedure and case work methods and in general obtained a pretty good idea of the methods of approach to probation problems. The necessary forms were drawn up and sent out to the various magistrates and in due time we got well under way. To-day there are six officers devoting their entire time to rural work which is carried on by the district plan. The same sort of social investigations submitted to the judges of the courts of record in the county prior to the sentence of the offender are given to the justices of the peace before they dispose of their cases. Weekly reporting of rural probationers is required in most cases. The probation officers make it a point to visit the probationers in their homes at least semi-monthly.

One of the most serious problems in connection with rural probation in any community is, naturally, that of covering the territory. An automobile is an indispensable adjunct to the probation officer's equipment. Fortunately in Erie County we are provided with a sufficient number of cars to do our work properly. But in spite of this fact it has been found necessary now and then to call upon volunteers to assist in the supervision of rural probationers. We keep the number of volunteers as low as possible, however. Those who do serve us are carefully chosen and are usually clergymen, school principals or socially-minded business men.

The total number of persons under supervision at present is 277 of which about 20 per cent are juveniles. Since 1918, 1,609 cases have been under supervision, involving 10,937 visits and a collection of monies to the amount of $32,800, for support, restitution, etc. Of those discharged from probation improvement was shown in 78 per cent.

Rural probation work, at its best, is a rather difficult task,

involving as it does so many factors that are naturally not encountered in city work and lacking the assistance of coöperating agencies with their staffs of trained workers, but we feel that we are handling the situation effectively and that it is well worth while.

THE MENTAL HYGIENE ASPECT OF PROBATION

DR. FRANKWOOD E. WILLIAMS, *Medical Director, National Committee for Mental Hygiene, New York*

What I have to say on the subject of mental hygiene and probation can be very simply said, I think. There are two points I should like to make.

If we reduce the matter of probation to its simplest terms, probation becomes a problem in prognostication. The judge and the probation officers are of the opinion, and are willing to prognose, that this particular individual, as against some other individual, will make good if he is given another trial or a proper opportunity. When they arrive at this decision, they have, of course, made a prognosis.

If probation, then, is a problem in prognosis, prognostication as to the future conduct of the individual, the question next arises, upon what basis can this prognostication best be made? How can we be assured of the greatest accuracy in the making of this prognosis?

There were people who predicted the weather long before there was the science of meteorology. There are people who still predict weather in spite of the fact that we now have scientifically equipped weather stations for that purpose. There are still individuals who depend upon the ebb and flow of their rheumatic pains for knowledge of what sort of weather it is going to be, clear or foul.

David Lawrence, in his recent book on President Wilson, tells us that President Wilson used to say, jokingly, that his razor strop, which he had had for many years, was a very good weather prognosticator—if the razor slipped easily over the strop, then President Wilson knew the weather was going to be good; on mornings when it was inclined to cling, he was pretty sure that the weather was not going to be so good. Just before his first inaugural, Mr. Wilson announced to the news-

paper correspondents with amusement that his razor strop predicted good, clear weather for the inaugural. And so it turned out.

However, when it comes to making serious decisions on weather, intelligent people do not depend upon an aunt's rheumatism or even upon a president's razor strop. The science of meteorology is now well developed, and we are glad to take the judgment of the meteorologists, even though we know that occasionally they make mistakes.

Probation in the last analysis is likewise a problem in prognosis. This prognosis has long been made on the best judgment of the judge and the probation officers. Using such experience as they may have had in their contacts with human beings, particularly with delinquents, they have arrived at a decision that this boy or this girl, or this man or this woman, is a reasonably good risk in the matter of probation, or, that this other individual is not a good risk. They have made a prognosis. And in doing so they have been earnest and conscientious, perhaps, indeed, almost uncannily shrewd. But their prognosis rests upon much the same base as a "rheumatic" prognosis of weather. It rests upon no scientific base. The fact that it has been conscientiously and carefully done within their light, does not make any difference. That is not the point. The fact is that their prognosis has as its only base their own limited personal experience, which in turn has been limited by their own personal idiosyncrasies, whatever these may be.

To be sure, some judges and some probation officers, after years of experience, become quite expert in judging human nature, and are able frequently to make excellent prognostications. But, even so, the material out of which the judgment has been made is more or less vague and intangible; and indeed one cannot credit so very many judges and probation officers with unusual shrewdness in these matters. Furthermore, when one canny judge or probation officer leaves the bench, or the office, and another comes in, there is no assurance that the new judge will be able to profit by the experience of the one who has just gone out. In fact, we know that he doesn't. With little to guide him, the new judge must learn it all himself, build up his own criteria of judgment. This takes time, he may have to grow grey in the service before, through the trial and error method, he becomes wise; and he may never become

wise; his judgment may never become dependable and valuable. At least there is no assurance that it will. This is a bit like the method of learning surgery fifty years ago—one went out and learned surgery by doing surgery.

The psychiatrist is, it seems to me, in this situation somewhat like the meteorologist. He has devoted his life to the study of individuals and the problems of human behavior. His judgment isn't based entirely upon the state of his right leg; he has developed a technique, not altogether perfect, to be sure, but he has developed it along scientific lines which does make it possible for him to accumulate certain dependable material upon which fairly reasonable judgments can be based as to whether or not a given individual is or is not suitable for probation.

He is like the meteorologist in another way. He may make mistakes. He may be wrong, but the chance is certainly more in favor of his judgment being a correct one than the judgment of one whose training has been in an entirely different field, and who has observed human nature and delinquents from the bench in a general and usually a rather hurried way.

When the psychiatrist comes to this problem he brings no new philosophy, and in a sense, no fundamentally new technique; although he does bring a special technique. It is sometimes objected that the psychiatrist does bring a new philosophy and a new technique, and people are a bit suspicious of it. They think that it is probably a bit bolshevik. Sometimes it is said to be sentimental. He is accused of being sentimental and wanting to find reasons for excusing criminals from paying for their crime. This, of course, is a misunderstanding both of his point of view and of his possible function.

The work of the psychiatrist grows naturally out of one of the fundamental tenets of legal philosophy itself. It does not change, but extends the possibilities of the legal technique that has been developed in accordance with this philosophy. The law, for example, has been very careful to build up a precise way of determining evidence. The law is no longer satisfied, as the general public so frequently is satisfied with mere generalizations, vague notions, insinuations as to the guilt or innocence of an accused person. The people of a community may sometimes say, "Oh, this individual is from this or that part of town—from over the railroad, from Bumville, or what not",

and conclude that nothing more need be said. Or they may say, "This man is a foreigner, or a nigger, or what not" and so presumably he must be guilty, at least he is a bad lot.

The law realizing that we can find no safe judgment in this way, has built up precise ways of determining how we shall differentiate in evidence and arrive, if possible, at the truth.

In other words, the law rests upon the ascertainment of facts, of truth, from which judgment can be made. This fundamental principle of law is, of course, carried over into probation. In the one case the facts desired have to do with the guilt or innocence of the individual, in the other with the possible dependability of the individual if granted probation, but the principle is the same. Before arriving at a decision in regard to probation, the judge and the probation officer desire to know something about the past career of the individual, for example. They want to know something about his home conditions, something about his working record, and the like. After the probation officer has collected these facts, the judge then comes to a decision and the individual is or is not granted probation. Both the law and the probation officer have already established the precedent that before arriving at decisions there must be a collection, along precise and careful lines, of facts upon which judgment can be based.

The psychiatrist, therefore, brings, in a sense, nothing new into the picture. He merely carries the procedure a step further. With the philosophy of the judge and of the probation officer, he is able to obtain by reason of his special technique and training, which the probation officer and the judge do not have, additional facts which are germane to the situation. He extends the fact-finding possibilities of the court. He has added nothing but a facility for ascertaining more of the very things which the judge himself and the philosophy of the law have decided are the things that are necessary. Whether these additional facts tend to bring into question certain other philosophies and techniques of the law is another matter and need not concern us here. If they do, it is the facts as ascertained that will produce any change in legal philosophy, it will not be merely one point of view or one empiric philosophy contending against another. So long as this is the case we need not be greatly concerned.

Let me emphasize this point once more. A judge has before

him a glass of water. He is even more familiar with this, through long experience, than he is with delinquents. With all his experience, the most he can say is that it is a glass of crystal clear water. Even though he may be almost pathologically conscientious, his ability to know and to understand the water before him goes no further. He can differentiate the water from the glass, the glass from the tray. When he does so, he sets up the principle and accepts it for himself that it is important to distinguish between things. He might even go further and grant that in certain instances it is important to make finer distinctions between similar or even like-appearing things. It might be of supreme importance that he know more in regard to this water, that he distinguish it from other glasses of water. With no new principle, but with a special technique that makes it possible to carry the judge's own principle that differentiation is important further than the judge himself can carry it, a chemist or bacteriologist may tell him that the crystal clear water before him contains urea and typhoid bacilli.

But I should like to broaden this discussion of mental hygiene and probation. We are always much concerned with the mental hygiene of the other fellow. We are concerned with the mental hygiene of the school child, particularly of the delinquent school child. We are becoming concerned with the mental hygiene of the college student. We are concerned with the mental hygiene of the dependent. We are concerned with the mental hygiene of the delinquent. That is all very well, because each of these do present special problems, and it is becoming clear that we cannot satisfactorily meet the problems they present unless we do take into consideration the mental health aspect.

I would call attention, however, to this: That in probation we are concerned—or should be—not alone with the mental hygiene of the delinquent. What concerns us most or should concern us, is the mental hygiene of the judge and the mental hygiene of the probation officer; that is, the mental hygiene of ourselves.

If we desire to solve the problem of delinquency it will be well for us to consider not alone those individuals who have, in a sense, rebelled, or who have got into difficulties of one kind or another and who are brought before our bar of judgment, whether that bar be a psychiatric bar or a legal bar. The

problem is larger than this, and we will go astray unless we are just as concerned with our own mental hygiene as we are of the mental hygiene of the individual before us.

When the National Committee for Mental Hygiene entered upon its project of child guidance clinics, it was taken for granted that when a child had a temper tantrum or misbehaved in some way or other, our problem was with the child. I remember quite well that in my hospital days when children were brought to us, or adolescents, we studied them most carefully to try to find out what was wrong with *them*. Our idea was that if we observed carefully the various symptoms and signs manifested, these would eventually begin to group themselves and we could then say, "Oh, of course, he is 'feebleminded' or 'epileptic' or 'schizophrenic' or what not", and that we should then have our answer as to the cause of the conduct.

When one accuses another of misbehavior, our attention is immediately attracted to the individual who has been accused. It has been our custom, then, to study that individual carefully, in the expectation of finding within the individual himself something that would explain his misbehavior.

Those who have followed this work know, however, that while this has been a valuable procedure and has led to much important information, it has not given us the answer we sought. It soon became evident, especially in the case of children, that the answer to the question was not to be found in the study of the child alone. The child, indeed, might well be an essentially healthy child. The conduct of the child frequently turned out to be a healthy if troublesome reaction to a very bad situation. Our method of procedure has been changed, therefore, and as Dr. Lowrey and others have pointed out, in order to understand the problem of the child, attention is directed to a study of the parents. It is the mental hygiene of the parents that we have to study rather than, or, better, as well as, the mental hygiene of the child. Until we have been able to do something with the problems presented by the child's parents we will not be able to do much with the child.

I think we will find that the same thing is true in the matter of probation, that very frequently what we have to deal with will be the mental hygiene of the judge and the probation officer and the mental hygiene of other individuals with whom the probationer comes in contact.

It isn't alone the delinquent's mental hygiene that is askew. Granted that it is askew; it is askew largely because of the askew mental hygiene of the individuals with whom he had had to come in contact throughout his life, particularly of those who have had charge and authority over him, and to whose twists he has had to accommodate himself. When at this stage he falls into the hands of some probation officers, or comes before some judges, the mental hygiene of these individuals is in no way helpful.

The hard-boiled judge is no particular mystery to the psychiatrist. He may be in a worse state of mental health than the prisoner before the bar. It is not infrequently so. Then there is the overly-sentimental judge, the one to whom Dr. Lowrey referred, who when a case came before him of a boy who wasn't good to his mother, boiled over. His intellect detached and he simply spouted emotional steam.

We have also our hard-boiled probation officers and we have our sentimental probation officers, and we have all degrees between. I think we will find upon examination that aside from incorrect prognosis due to lack of sufficient data, a good many of our failures in probation have been due to the inability of the probation officer because of his own lack of emotional adjustment, to get in rapport with his probationer—and after all if he sets himself up as an expert in these matters, the responsibility to establish this rapport, which must be a part of his technique, rests upon him and not upon the probationer—rather than to the inability of the individual to adjust to him; or his own lack of adjustment further confuses the probationer or creates conflicts within the probationer that make proper adjustment impossible.

May I summarize, then, my suggestions in regard to probation as follows: First, that in making prognostication in probation, we do precisely as we have done in weather prognostication, that we add to our facilities all of those scientific means which have been developed to ascertain facts upon which we can hope to build more accurate prognoses.

My second suggestion would be that in considering the problem of the mental hygiene aspects of probation or delinquency, that we think not alone in terms of the mental hygiene of the delinquent, but think a very great deal in terms of mental hygiene of ourselves.

There is a very mistaken notion that individuals are either

mentally well or mentally sick—one thing or the other; that those who are mentally sick are in hospitals for mental diseases and that therefore all of us who are not in hospitals for mental diseases are mentally well. Obviously, as far as the records go, we are; but that is not the whole story.

There is a concept in the field of physical health that is useful here. There are people who are physically ill and there are those who are physically well. Those who are sick are in bed, let us say, and under the care of a doctor or a nurse, and all who are not sick of a real disease are officially well people. We are quite aware, however, that those who are officially well, in the sense of not being officially sick, are not all equally well, that there are individuals who are in very good physical health; that there are individuals who are only in fair physical health and that there are individuals who are in very poor physical health although not actually sick with disease in a formal sense.

This is just as true in the field of mental health as it is in the field of physical health. There are people who are in very excellent mental health. There are people who are only in fair mental health and there are other individuals who are in wretchedly poor mental health, although they are not officially sick of a mental disease.

These individuals who go about in very poor mental health cause more difficulty in the world than all the delinquents, and all those who are actually officially ill of mental disease put together; first, because they are more numerous; second, because they are unrecognized for what they are; third, because they so frequently occupy positions of importance where their influence is far-reaching.

We are tremendously concerned about the feebleminded, for example. We feel that the feebleminded are a great social menace and some people become so excited over this that they grasp at a eugenical straw and want to sterilize them all as quickly as possible, lumping in for good measure, the delinquent and the so-called insane. After all, I ask you, which is liable to be the greatest social danger, an individual with an I.Q. of 60, who bums around the town, is not very productive, depends upon the social agencies a good deal and occasionally gets into some minor or maybe major delinquency, putting him before a judge, who puts him on probation where he may become a thorn in the flesh of the probation officer; or another individual with

an I.Q. of 150 who is graduated from out of our great universities, who has been honored by election to Phi Beta Kappa because of his great intellectual ability, but who is so emotionally handicapped that he can only see social problems in the light of his own personal unsolved or partially solved or badly solved emotional problems, but who, because of his family standing or his wealth and because of his recognized intellectual ability, comes back to his home town and eventually takes up a leading social position in that town as a minister, a judge, a newspaper editor, or what not?

This man is given position and power, is permitted to be a mentor in matters of public and personal morals and ethics, to make judgments in all manner of human problems, when in reality he is an individual in very poor mental health. He is so emotionally twisted and distorted that he sees through a glass very darkly and everything must be measured in terms of his own personal problems. He is the individual who creates more social difficulties than any collection of the feebleminded or delinquents who ever lived.

We should certainly do all we can, and we can do a great deal, towards the better understanding and handling of the problem of "delinquency", which means, of course, the problems of the delinquent; but while attending to his mental hygiene, we should not forget our own. It would be well for us to be decidedly on guard ourselves, when we find the steam rising in our own boilers in regard to certain situations, particularly ethical and moral situations which may involve tremendously our own personal emotional problems.

I wish to say also that so far as 50 to 75 per cent of delinquents are concerned, they are no particular mystery to the psychiatrist. They represent groups that are pretty well understood and could be handled quite expeditiously, but not with the machinery with which we have to work to-day. They do not present a particularly difficult problem once the machinery can be created for handling them for exactly what they are rather than for what somebody would like to think they are.

On the other hand there is a 25+ per cent that offers many problems as yet unsolved. They are those who do not fall into a particular group or classification, and which require much more careful, detailed and longer study. The problems in this group are complex and difficult, but tools are already forged

that should help us in understanding them. The real problem of delinquency lies in this group.

These approaches to the problem of delinquency would seem evident to the psychiatrist: First, the creation of social machinery designed and adequate for handling the 75 per cent of delinquents who are reasonably well understood.

Second, to bring to bear upon the less well understood 25 per cent, the scientific resources that are now available in order that we may come to a better understanding of the individuals in this group.

But third, the greatest problem of all in the field of delinquency is not the 75 per cent or the 25 per cent, but ourselves. By improving our own mental health we shall the quicker and the better be able to deal satisfactorily with the problems of delinquency.

UNDERSTANDING THE DELINQUENT

LAWSON G. LOWREY, A.M., M.D., *Director, Cleveland Demonstration Child Guidance Clinic*

The problem of understanding the delinquent requires, first of all, from the individual who is attempting the understanding, an objective approach to the problem involved. This means that it is quite necessary to get rid of any attitude that we may have that might interfere with our judging the delinquency situation for we must not have preconceived notions of what we are going to find. It is not enough to believe that people are delinquent because they are ignorant, or because they prefer being delinquent to being something else, or because in their home environment there has not been a training in habits and reactions that will permit them to react in a socially acceptable way. It is not enough to believe that much of the behavior that human beings show is dependent upon the hereditary patterns with which they start in life. Nor is it enough to believe that delinquency is due, as people sometimes put it, "to society", and that where an individual becomes delinquent it is improper conditions in society that have determined the behavior.

All of these are beliefs or attitudes that are being expressed every day, often as though they solved the problem. You will hear apparently well informed and apparently well educated people speaking of any one of these, or a good many other issues,

as being the sole issue which determines delinquency and apparently feeling that, having reached this grave and ominous conclusion, they can thereby understand the individual delinquent and understanding that individual delinquent can do something about the delinquency.

Adherence to any such opinion concerning the simplicity of the causes of delinquency, in the face of practical dealing with delinquents day by day, is quite inconceivable. But these opinions exist and are the opinions with which a great many people first approach the problem of dealing with the delinquent. They feel that thereby they somehow understand why the delinquent is delinquent and, on the basis of this understanding, that they may do some corrective work. To me, any such pre-conceived notion of what you are going to find in any individual delinquent is worse than absurd, because it blocks finding the facts that *are* really responsible for the delinquency in the given case.

It is increasingly evident to all those who deal with delinquents that the most important problem in delinquency is the delinquent himself. We are apt, I fear, to feel, then, that all we need to do in relation to the delinquent himself is ascertain what type or types of deviation from mental normality he may have. We seem to feel that, by virtue of making such a classification, in some way we have done something valuable for the delinquent. Unfortunately even this is not enough. To find the easy solution of the problem, to jump rapidly from one conclusion to another and on the basis of some simple formula to attempt to solve any—and sometimes all—of the problems that there may be in the world is to use but a part of the human mental mechanism.

Understanding the delinquent is to me no such simple proposition as this. The individual, whether he be delinquent or not, with whom we deal today, is an individual who is a product of all that has gone before. He is a product, not only of his heredity and his environment, but he is a product of the changes that he himself produces in his environment and the reactions that they in turn cause in him. In other words, it is a kind of a circle that is constantly in operation. Life is not a static thing. We find we cannot simply analyze people in terms of A-B-C quantities and believe that the person with whom we shall have to deal tomorrow will have the same A-B-C relationships with which we have to contend today. Even the adult individual is

by no means so changeless, so static, as any such conception as this might imply.

The characteristic feature of humans is, after all, their adaptability; their ability to meet and deal with new situations; to modify reactions in certain essential directions, as the situations which they must meet are modified. You can call that anything you please. You can call it intelligence or the ability to learn by experience, or to learn in general. It is more than that because it involves other factors in personality than just intelligence and grasp. Therefore, if we are actually to understand any individual, and particularly if we are to understand delinquents, it becomes necessary to find out why individual reactions are what they are, and why some are not socially acceptable. I suppose delinquency might best be defined in terms of the acceptability or non-acceptability by society of certain types of behavior and the reaction by society of erecting some laws, prohibitions and punishments related to such behavior when it occurs. Delinquents do not spring up over night as a rule. That is another truism we have always carried in mind as determining deviations, either major or minor, from the accepted order of behavior. That does not mean that the delinquent has necessarily shown behavior that leads him into court from the beginning, but it is very rare to encounter a delinquent who does not have in the historical view of his conduct, a great many different ways in which he has deviated from accepted standards of conduct in home, in school or in the social order at large.

If, then, we are to understand him our first need is to find out all the types of behavior he has shown which have been rejected by some one individual, or some one group or by a series of individuals or groups. Having found out what these bits of behavior may be, it is equally important that we find out in what ways, if any, this delinquent has behaved in acceptable fashion, as there are few delinquents whose behavior is totally unacceptable.

Having learned what the behavior is and what it has been, having gotten the viewpoint of other people with respect to the behavior, it seems to me that we have to approach the problem—whether we are probation officers or psychologists or psychiatrists or judges or working in institutions for the care of delinquents, or wherever we may be—from the standpoint of the delinquent himself and try to see the situations with which he is

confronted through his eyes. To do this is perhaps the basic principle, the fundamental principle, in understanding other people. If you want really to understand why your wife is cross at the breakfast table, or your dearest friend is very snippy today, then it becomes necessary to see the situation in some way through the eyes of these other people. That is to say, a certain projection of one's own self into the situation that confronts the other person, is an elemental, a basic consideration in the understanding of other people. So it is with the delinquent.

What is the delinquent's own view of the situation? How frequently, incidentally, do you, in your practical work actually try to find out what the viewpoint of the delinquent is about his situation? If I were to stop and collect answers to that question I am sure you would all say that you always do. Yet, I wonder if you really do. Isn't it a fact that all too often you haven't quite enough time to get the finish of this particular story? Isn't it true that all too often there is something in the behavior to which you have violently taken exception?

For example, I recall hearing judges lecture delinquent boys from the bench. Those lectures were quite good as a general rule. But in the case of one judge, when there was anything in the boy's behavior indicative of not properly appreciating his mother, that judge's lecture became so highly charged emotionally that it at once began to fail of most of its purpose. Just a bit of evidence from the mother to the effect that she had not had proper respect from the boy was enough and the judge's attitude of finding out what was happening from the standpoint of the boy was immediately changed and nothing from that point on was judged with any coolness or objectiveness at all, because the judge was reacting to this boy's attitude toward his mother and not toward the facts that might be present in the case.

Isn't it true that sometimes you know a youngster is lying? An enormous number of people object very strenuously to being lied to, even when they know it. Perhaps they object more when they know it than at other times. I do not see why people should object so terrifically to being lied to when lying is a part of their every day professional and social duty. However, we do object. Many people have very violent reactions to the youngster who lies, and you will see them immediately condemn the whole youngster in all of his actions merely because when he came into

a situation where he had a chance to tell the truth, he preferred to tell a lie. From that point on there is no objectivity in understanding the youngster and what he is about. So, one might go on relating a whole series of situations that happen between the individual who is working with the delinquent and the delinquent, which interfere with any adequate understanding of what, actually, has happened.

Many people will say to us, "How do you know your children don't lie to you?" We say we don't, which is quite true, but it doesn't make much difference after all whether the child lies to us or not, because we aren't essentially concerned with establishing guilt or innocence. We are much more concerned with establishing the type of individual with whom we have to deal. Oftentimes a lie is far more revealing of the type of individual with which we have to deal than the truth would be. Therefore, we aren't particularly concerned with whether the children tell us the truth, the whole truth and nothing but the truth; or whether they slip in an occasional lie, or whether they spend most of their time fabricating enormous ones. We do feel that usually we can detect when they are lying and that therefore we have a new dynamic lead into the problem of that individual's personality and attitudes and a recognition of his problems that we might not get in any other way.

It seems to me, then, that the first two elements in understanding a delinquent are to try to view the situation from the standpoint of the delinquent and to take enough time to get something of the viewpoint of this delinquent in relation to his problem. Time spent to this end is not so much wasted as one might think. It gives us clues as to further action that in the long run save us time and make our treatment more effective.

Not only must we go into the situation from the delinquent's standpoint, but we must consider that of the family. We must visualize our delinquent as a member of a family group, just as much as we visualize him as a member of the social group at large or as a member of smaller or larger groups of various sorts in school, with his companions or the gang, or some of his other group associations.

The family is the most important center we have from the standpoint of delinquency, for so many things that happen in the family determine the delinquencies of the children. There is the delinquency of the adult with direct imitation on the part of the children. There is the stimulation to delinquency that

comes through the attitude of these adults. There are the different feelings and pressures that parents put upon their children that often lead one child to concede himself to be an outcast from the family group. There is no particular conception of what his relations to that family group should be, and overwhelmed with the sense of aloneness and guilt, he becomes easily a delinquent by habit. There are a lot of people who don't like their children. Most people don't like to admit that. We think that parents, because they are parents, must love their children. Nothing, of course, could be more psychologically false than any such attitude. Where there is a real dislike for the child on the part of a parent, we have an emotional situation which may very largely be the cause of delinquent behavior.

In this connection I recall a case that we saw when we were in the Twin Cities—a red headed, 14 year old dynamo who was constantly in trouble in his own home and at school. The complaint against him was rather interesting. His sole ambition in life was said to be to create a disturbance. He wanted to be a chemist and the only reason for that ambition was so that he could make explosives and thus make noise. Another point we discovered was that he could make a lot of things that had bad odors which would be annoying to the neighborhood and his home.

The boy's father had married late, the mother was 40 and the father was 55 when he was born. He was the only child and his mother was what I would call a rather mild religious fanatic. To her, children were conceived in sin and therefore born in sin, and therefore, could only be expected to be sinful. As she had figured it out, her child certainly proved her theory. She interested me for another reason. She came to us with this problem. In 1924 she belonged to that Sect which prepared for the end of the world in February of that year. They believed when the end of the world came the world would go on in status quo for the next million or so years, except that all the people now living would have their behavior converted toward angelic trends. Hence she knew that after that occurred she wouldn't need any help for her boy because he would be all right. She thought that after that we were all going to be angels. Up to the end, however, if the child guidance clinic would help her a little bit she would be very glad.

Where attitudes of that kind occur there is a conflicting emotional turmoil toward the children. This can rob them of

any feeling that they definitely belong to a group, that they are an integral part of the situation, that they are wanted there and that being wanted there, they have certain rights for which they do not need to fight. This is a very broad topic that has been fairly well expressed by someone who said that "it is the birthright of every child to be loved", meaning thereby that the child has a definite emotional need for expressions of affection from other people and a very definite need for the security that comes with such expressions from the parents.

I haven't the time to cover all of these possible ways in which we need to understand the family, in which we need to understand the school and its attitude toward the boy or girl, as the case may be, or in which we need to understand the underlying emotional and other personality drives that occur in the individual. I haven't time to go through the differentiation of those more marked deviations in trend and those fixed habits of reaction which lead us to call certain people psychopathic, nor through the same sort of reactions occurring in less marked degree or lesser number, which lead us to think of others as more normal people with definite neurotic or other trends.

One of these situations, however, I should like very definitely to call to your attention, as being one of the most profound of all determinants of antisocial conduct as far as my personal experience with delinquents goes. I refer to what is commonly called the "inferiority complex". I would have you think of that in a certain very definite way. First of all, that it is good for all of us to have a certain amount of feeling of inferiority (or humility) to counteract the tendency that is otherwise apt to develop a sort of over-ego formation with a too great amount of self-confidence and too great amount of assurance that we are always right. As a matter of fact, most people have some sort of feeling of inadequacy.

There are two major phases, it seems to me, to this matter of feeling adequate. First of all, we like to feel personally adequate and we strive, both consciously and unconsciously, to achieve such feeling of adequacy within ourselves. Second, it is not enough that we should feel adequate, but this adequacy must be recognized by the group, or the groups, with which we are most frequently in contact and we strive in a good many different ways, unconsciously or consciously, for this group recognition.

We may develop a feeling of personal inadequacy based on a great many different things. All of life is a competition, if

viewed in that way. It is a series of competitions beginning with the earliest existence after birth and continuing throughout life until death. These competitions are almost innumerable, of all sorts and kinds. There are competitions for affection, competitions on matters of physical appearance, on health, in athletic prowess, and, particularly in the children who haven't been going to school too long, there are competitions for intellectual supremacy, and so on through a long range of these competitions in which people strive for feelings of personal adequacy and for recognition from the group.

Failure to get either of these—either a feeling of adequacy or of recognition from the group—leads inevitably to certain disturbances in general behavior, which can best be thought of as compensation, or attempted compensation. These compensations, or attempted compensations, usually are rather blind and many of them, because they are rather blind, are socially unacceptable. Being socially unacceptable they reinforce the feeling of inadequacy, or the feeling of lack of recognition from the group. Out of this we get a vicious circle which tends to keep the individual developing a delinquent career as a means—a false means to be sure and a poor choice—of forcing from the group the recognition that cannot be had in other ways.

It becomes, it seems to me, essential, in working with and understanding delinquency, to try to reach some conclusion respecting the amount of feeling of difference or feeling of inadequacy the individual may have. We should consider what these are based on, what can be done to correct the basic conditions that are causing the individual to react in this way and what can be done to help the individual to a wiser choice of compensatory activity.

I might summarize, then, by saying that if you want to understand the delinquent, you must first be objective and then know as much as you can get to know about him as a reacting individual. You have to know about his mental makeup, his intelligence, his emotional attitudes, his instinctive drives and, in so far as you can learn, the origin of any deviations that there may be. To understand these things requires the fullest possible understanding of his whole social situation, his whole social life and those important environmental forces, the surrounding personalities with whom he has to deal and with whom he is so often in conflict,—the delinquency being often merely an outward expression of this inner emotional conflict.

WHEN WE KNOW THE CHILD

EDITH M. H. BAYLOR, *Judge Baker Foundation, Boston*

A judge once said to me, "When a man stands before me I can tell pretty well what he is." So rapid has been the growth in the study of the individual that my friend, the judge, would probably make no such rash statement today. If by chance he still felt sure about the man, would he say the same of the child? The man shows in his face the marks of experience; his mouth is what he has made it, his posture indicates much, his clothing tells another story. But what can we know of the child who stands looking penetratingly at us? Certainly very little from appearances.

Perhaps you say, "We know what the child is from the evidence produced in regard to his behavior when he was arrested." But even this may be most unreliable. The boy was, let us say, picked up because involved in the depredations of a gang, and the charge was larceny. Now, it is just possible that this child was not the one who had conceived the idea, nor the one who executed the plan, and that he was actually an onlooker, having been caught because he was not bright nor experienced enough to get away with the others. The probation officer may be able to discover these facts and present them to the judge, but the chances are that no one will know what really happened. The judge finds great difficulty in making a decision. He needs something far deeper than any evidence that external events can produce.

No one actually knows the child. The mother may think that she does but it soon becomes obvious that she sees him very little during his waking hours and that she has never touched his real life with his companions when he is doing the things that he cares for. This is true even of the most intelligent mothers, whose children often remain puzzles until they are grown.

Consider a family of five children. Four of them do exactly what is expected of them and fit nicely into the parental pattern. The fifth is a law unto himself. He behaves in what his parents consider an extraordinary way, with, possibly, little evident family affection; perhaps he takes things that do not belong to him, lies and brings much neighborhood gossip about the ears of the family. They say, "Why should we have this strange

child when our fathers and grandfathers have all been law-abiding citizens?" The rich and poor alike say this, except occasionally when the mother remembers a paternal relative whom the boy resembles or the father thinks the girl like his wife's mother. We are all of us easily convinced that the parents seldom understand the difficulties of a delinquent child.

The probation officer may look to the teacher, but a teacher can't be expected to give an adequate picture of a boy. Very likely she has fifty children, of varying degrees of intelligence, to supervise and is expected to cover an elaborate curriculum with them. She has barely time to keep peace and get over the ground. At the end of eight or nine months most of the children go on and an entirely new class must be kept in line. There is no chance for the individual who does not conform, who does not exactly fit, unless he is actually defective, when there may be a place for him in a special class.

Another possibility presents itself. The child who behaves the most quietly and best in the school-room, who is not conspicuous at recess, may be the one who needs help most. The school nurse, you say, knows about the child. How much? I have seen children passing before a nurse, who gave a look at throats, chests, hair. She was keen and would have detected a contagious disease, or any advanced condition, but certainly she had no idea of what was in the child's mind.

Less than a year ago I spent a morning in a model school, in a city which prides itself upon its schools. The nurse looked the children over, as I have described; she then gave a most interesting health talk, illustrated with a diagram. In the midst of it the teacher interrupted her. "Do you see that boy?" she said, pointing to an overgrown lad. "See how his hair stands on end! It is always that way, and he has dirty clothes and horribly dirty habits." The boy shrank down in his seat as all eyes were fixed upon him. His expression was sullen and defiant. The nurse felt sorry for him and gave him some advice in a kindly tone. Whatever had been the trouble before it was now surely ten times worse. There *was* something wrong with him. A psychologist was ascertaining the intelligence quotients in that school but it is safe to say that of the several people interested and eager to help not one was likely to find the underlying difficulty with the boy.

The judge must rely upon the usually scanty evidence furnished by parents and by the school plus his ability to estimate

character as a basis for his decision. The disadvantage of this method is that it contains a large element of chance, for while one judge may possess remarkable insight and an understanding of human beings, another may be prejudiced and influenced by some idea of the moment.

I recall an incident that seems to me striking. An Italian girl of seventeen, for whom I was in a measure responsible, had disappeared. Months went by and the police of a suburban district had not found her. At last I went again to them and begged them to redouble their efforts. It happened the very next day that one of the officers was in a Boston court when a woman who kept a disreputable house was being tried. The officer observed, among the people taken at the time of the raid, the very girl for whom we were looking. After that trial she was taken back to the suburban court, where she herself was tried the next morning. In the meantime I had again seen her father and sisters, whom I had come to know very well. They were respectable, hard-working people, living in a good district. The father said that he could not have the girl at home. He was away all day, her mother was dead, and there was no one to control her; he feared her influence on her sisters and in the neighborhood. He said that for a long time she had been beyond his management and that she must have discipline and be taught some respect for authority. That was evident enough. The girl had become the most sophisticated, hard, hopeless young person that I have almost ever seen.

The probation officer and I both said on the stand that the only possible hope for the girl was to send her to a correctional institution. The police gave testimony to the same effect. The father still refused to take her back. But in spite of everything the judge decided to "give her another chance". You may be interested to know the result. She stayed at home one night and the next day disappeared, never up to the present time, a period of six years, to be seen again by her family, the police, or any social agency, so far as known.

Let us suppose that a complete preliminary study of that girl had been made in a clinic connected with the court and that recommendations for reformatory care had been outlined. Isn't it pretty certain that the decision of the judge would have been different? In this instance I do blame the judge, for he refused to consider even the testimony of the only people who were in a position to know anything about the case. But in

general I have felt that judges give their keenest attention and most earnest thought to cases in hand; in fact I feel much gratitude to them for splendid co-operation. But I think that we expect too much of them and put too heavy a load upon them.

With children's cases there are three main possibilities in the disposition: The correctional institution, probation in their own homes, or probation and placing in a foster home.

The decision to send a child to a reformatory is a weighty one for upon it may rest its whole future. The judge wonders what effect group treatment will have on the child. It may be exactly the wrong thing. The association with other delinquents may increase difficulties; there may already be a strong feeling of inferiority, which grows in a reform school, so that when paroled the child may be more of a problem than ever.

On the other hand the child may find himself in the association with others and in the regular life that straightens him out and makes him think. His point of attention is changed from himself and his determination to be free to live as wild a life as he chooses, to the routine and interests of the reform school. That is, if it is a reform school and not a prison.

Some children must be given a jolt, so to speak, if a change is to be expected in them. One girl of sixteen, of good, respectable parentage, completely lost her head. She rebelled against authority at home and in school, although she was bright enough to keep up her lessons sufficiently to be allowed to remain in school; she ran about recklessly with a group of bad girls and young men, remained away over night once or twice and when taken by an agency, at the mother's request, appeared to be hardened and dead to all ideas of decency. She was placed in a foster home for a few days but it was at once evident that she would run away at the first opportunity. The visitor was greatly drawn to the girl, who possessed many lovable qualities that were covered by a veneer of toughness and insolence. She was examined at the psychiatric clinic and there was an entire agreement that nothing short of correctional care would be of any avail. Backed by this decision she was sent to a reform school, to which the judge would very likely not have sent her without a definite recommendation, for she made an excellent appearance and her offenses had not been of a very serious nature. The visitor who kept in friendly touch with her by letter and an occasional visit discovered that almost at once she began to improve. With her good mind she was soon among the best girls in the institu-

tion, holding offices of trust. In the minimum time she was placed on parole and made good. There were never any further delinquencies. She is now happily married and proving to be an excellent wife and mother. One day she told her visitor, who is still numbered among her friends, that the period in the reformatory was the only thing that straightened her out.

A number of girls have told me that nothing but the reformatory had brought them to their senses, as they expressed it. But to make the momentous decision to send a child to a correctional institution the judge should have as accurate a knowledge of the individual as science in its present development can offer.

Now let us suppose that a judge, who has no clinic to back him, has decided that he cannot possibly, from the evidence presented, commit a child, and determines to let him go home on probation. The situation becomes at once hazardous in the extreme. He has returned that child to the very situation in which his delinquencies began and were carried on. A decision is made to move the family to a new neighborhood. All of us who have attempted to follow that recommendation, smile. The up-rooting of a family, especially if foreign, is a serious performance. Foreigners usually like the crowded sections among people of their own race; often they own their homes (although the social agency has not found this out). In the section proposed, rents are too high; and so it goes. Sometimes we force the move and at the end of a few months find them back at the old stand. There is little use in allowing the child to return if moving by the family is thought necessary.

The real difficulty is that we do not know what caused the child's delinquencies. Poor heredity, you may say, or crowded home conditions. Possibly they originated in a cause deeply hidden in the mental life; some chance sight seen, or words heard, may account for the whole trouble. How can the judge possibly know this? A child will never reveal his inmost thoughts in a court room; he is wary and on the defensive. Then, too, he has no words in which to express the thoughts that he himself does not understand. Only complete knowledge of his mental mechanism will reveal the truth. Every association in his home surroundings may keep alive the thoughts and feelings that have caused the delinquencies. But the judge is helpless, because he does not know of the existence of these thoughts and feelings unless there is a clinic at hand to help.

Suppose the judge decides that the boy should be placed in a foster home. Formerly, and still indeed, the country was thought to be a panacea for all ills of boyhood. I have read dozens of records telling the stories of country placings. In some instances the farm home was found by advertising in a farm journal; references, usually two or three, were touched by correspondence. The boy was put on the train and met by the farmer. I will not go into the technique of placement here, but it is evident that the method I have described is a perilous one. No one really knows the farm nor the farmer, and no one knows the boy, yet these two unknown quantities have been combined. Needless to say there is seldom any union. Generally the boy gets into trouble and is returned within a short time. Sometimes he stays and is overworked, or again, he may have become associated with bad men and boys, often hired men on the farm. Many farmers are ignorant and lax regarding sex matters. The food is often poor and unsuitable. The country children in New England certainly are not the rosy cheeked youngsters that one is led to believe them. A farm home may be, and often is, the finest possible place for a child. My point is that it is not necessarily good because it is a farm.

Certainly all children will not do well in the country. We tried, ourselves, to keep on a farm a little court boy who seemed to need just what it had to offer. It was only with the help of the clinic that we finally recognized the boy's strong gregarious feeling and became convinced that we should always have a runaway unless we allowed him to remain in the city. On the other hand there was a delinquent boy who had a very serious eye defect. For a long time he played in school, instead of studying, and got into all sorts of trouble. The habit of idleness grew more firmly fixed, his mother struggled with him in vain, until at last the eye condition was discovered and treatment begun. The physician said that the boy needed much building up, preferably in the country, and the psychiatrist happily agreed with him, on the ground that the boy would get entirely away from old associations and could be placed in a country school where there were only a few children, thus enabling him to receive individual attention. Also the children of all ages would be together and he would not become conspicuous because of his size. The psychiatrist described exactly the type of home needed. After a somewhat lengthy search it was discovered and found upon investigation to be satisfactory.

The boy remained there a number of years, growing strong and well, and overcoming to a marked degree his handicap. An interesting point is that at last the judge made the experiment of allowing him to return home, where he very quickly showed that he could not stand the excitement of city life. The only possible hope for the boy was the treatment earlier decided upon, which would probably not have been recommended by the judge had it not been for the findings of the physician and the psychiatrist.

It is of course easy to show an outstanding success in the work of any court or agency. I have, however, selected cases which are typical of large groups of children who have been studied and taken care of in one way or another, according to the recommendations made after the probable causative factors have been understood.

Another point a judge must consider is the extent to which a child will prove to be a source of contamination to others. It would surely be short-sighted to place a child in another community who would become a nucleus of trouble. This matter is constantly considered by placing agencies, when their work is based on sound principles. Before any child is placed the question of his effect upon other children is first thought of and to that end a judge must have as complete knowledge of the child as it is possible to gain from all available sources.

Whatever our field we are prone, in the midst of the pressure of our work, to think of situations as static. We decide to send a child home. He is for the moment disposed of. Or we send him to a farm, and there he is. When he goes to an institution he is clearly in a fixed place. Of course in the back of our minds we are conscious of change but it is often not until our plans do not prosper that we become acutely so. The real process of change is, however, not usually clear. Miss Follett, in "Creative Experience" has helped me greatly to appreciate the way in which change progresses. She pictures for us clearly the process of circular response, which applies with especial fitness to any work with children.

Let us picture a child who is sent to a farm. Immediately he has a certain effect upon the farmer and his family, which means that their effect upon the boy is what they were plus the effect that he had upon them. In other words, in placing the boy we must look ahead and see what the home will be like when the boy is there. We may go a step further and follow

the circular response. The boy, as he was in the beginning plus the influence of the foster home, has had his effect on the home, which, now slightly changed, has a new effect upon the boy. Each time around the circle the response has been augmented. As we follow it we begin to see that the emphasis in all life should be laid upon the relation between people and situations. I have found this theory, demonstrated in mathematics, most illuminating in its application to social work. Does it not have a definite bearing upon institution life for children? The institution cannot respond to each child, and the child's personality bruises itself against a certain inflexibility that is inevitable. Nor can the institution change. Consequently the child misses, without knowing it, the normal response. I do not fail to recognize the admirable qualities of the modern institution, which provides for most of the child's needs, but I believe that there will always be this one disadvantage of inflexibility.

To know the child seems to me the very foundation of the whole fabric of reconstruction. Some one may ask what it is that we need to know; how we proceed to learn it; and then, after we have the facts, what we do with them. Very pertinent questions. The clinic with which I am most familiar has children coming to it from the court and from agencies, or brought in by parents and relatives of every class in society. Behavior difficulties are no respectors of persons. Possibly the child in a wealthy family is worse off then the one in a poor home, because he is more poignantly aware that he is different from his brothers and sisters and that he is not upholding family standards upon which there has very likely been great stress laid.

The first step is to obtain a full history of the child's ancestry, immediate family, environment, and everything that pertains to his birth and development. Only an experienced person can win the confidence of the father or mother, make clear the necessity for knowing so many facts, and then piece together the often scattered information into a telling story.

Tests must be given to the child by a psychologist, for every sound scientific device available is needed to tell us of the child's general or special ability and of his mental make-up.

All this, however, is of no avail unless the child himself can be reached, for hidden somewhere is the key that will unlock the door to the real situation. Not to everyone is given the ability, I might almost say genius, to reach the child. I have seen well-trained and brilliant people fail to do so. It means

caring for the child so much that he feels it and responds; it means knowing childhood so well that every move and expression tells a story; and it also means such thorough scientific knowledge that the puzzle may be fitted together.

In studying records I find that the child's "own story", so called, contains the revelation. After reading 400 such stories in the last year and seeing the bearing that they had upon diagnosis and treatment, I have come to wonder how we ever dare to go ahead in the dark. Here are a few instances:

Charles was fifteen and belonged to an excellent family, although he was living with relatives, his mother having disagreed with and separated from her husband. He was a reserved, repressed boy, taking no one into his confidence, causing much trouble by his strange moods, and finally by stealing. At last he was taken to the clinic where the true story was learned. It seemed that the separation of his father and mother had worried him greatly and that from time to time he had visited his mother at her apartment. Some doubts about her way of living had been implanted in his mind. One day while he was there waiting for her, a police officer entered, searched the rooms, and found a coat which he said that she had stolen. This confirmed the boy's suspicions, causing such a conflict in his mind that he himself began immediately to steal. The remedy, suggested by the clinic, was so logical and successful that it is interesting. He was placed a long way from home in entirely new surroundings, with a man and his wife who had never had any children. The boy filled the vacant place in the woman's life, while she became the mother that he had needed. The stealing ceased.

Bobby, eight years old, was a famous runaway who had travelled extensively by boat and by train. The run between Boston and New York was his favorite. His method, which he frankly recounted, was this: he would board a train and pick out some rather stout person sitting alone. He would then take the vacant seat and feign sleep until the conductor had passed. He was greatly under size and, in his collapsed position, appeared, in contrast with his large neighbor, not more than five years old. With the conductor safely out of the way he proceeded to the smoking car where he talked with the men, who thought him highly amusing. He was at the height of his escapades when Harding was running for president. He became a strong Republican, learning many arguments in support of his candidate. One day, armed with a box of Harding buttons that had been given to him, he got off the train at Springfield, went to the Common and there, standing upon a bench, he made campaign speeches. By selling the buttons he made plenty of money for the New York trip. When asked what the police were doing, he said scornfully, "The police were keeping the crowds back."

Struggle after struggle was made to keep Bobby either in his own home or in a foster home, but failure continued. At last he gave his confidence. "It is no wonder that I ran away", he said. When pressed for

the reason he replied: "Don't you know that my mother ran away with the laundry man? When I was a little boy I heard some one say that I was just like her."

It was later learned that he was about three when the chance remark was overheard. At last we had learned the cause, but the treatment was another matter. There have been numerous ups and downs which I have not time to relate.

Then there was the boy suffering from a mental conflict. Ideas concerning stealing, setting fires, sex practices, and running away had driven him to serious misconduct. It was learned from him that these delinquencies were associated with some boys who had been his companions for years. A complete change of environment and several years of patience on the part of foster mothers were needed, in addition to the original study by the psychiatrist, to effect a change in him. Even then, when at home one day, he happened to see through the window one of the boys who had been the cause of his trouble, he at once reverted to his old habits.

No constructive work with these boys would have been possible without a knowledge of the cause of their difficulties.

The tragic story comes to my mind of a boy who had been in the care of the state and of a private agency for years. He was an illegitimate child and had remained with his mother until he was about six, old enough to be acutely conscious of taunts about his birth. At sixteen he was a splendid looking lad, intelligent, and likeable. He had been placed in the finest sort of home, where he was regarded as a member of the family. He stood at the top of his class in school and was received into the best homes in a conservative New England town. The foster mother said that he often sat thinking, looking very sad. She tried to find out his troubles but of course did not have the skill of a psychologist in drawing him out. Once or twice he dropped some word about his mother and having been a State child. Finally, although every circumstance seemed to be propitious, he suddenly disappeared. A thorough search was made but several years elapsed with no result. Everyone supposed that he had committed suicide. Eventually it was learned that he had joined the Navy under an assumed name. The boy, who might have been a professional man of standing, had become a sailor. Most certainly that bitterness and conflict which drove him to the step he took, might have been cleared up.

If a child can be induced to tell his story often that telling sets him free from conflict and an almost immediate improvement in behavior may be observed. Now that psychiatry has made it possible for us to learn what is in a child's mind, we should not be obliged to go on by the old trial and error method, nor is it fair to a judge to force upon him the necessity for making a decision that will affect the whole future of a child, unless at the same time we put at his disposal what science has to offer.

If the expense of maintaining a clinic appears to be an obstacle it must be remembered that in the long run a state will be saved an enormous amount by the checking of delinquency in its incipiency. Right decisions result in economy. Were it possible to compute the expense to a state of one delinquent who started in the juvenile court, proceeded through reform schools and prisons, with long and costly trials, and then add to that the economic loss of the man as a citizen, the sum would be staggering. How much more far-sighted to assist in making assets of these boys and girls who so easily may become liabilities.

THE SCHOOLS AND DELINQUENCY

OLIVE M. JONES, *Principal, Probationary School, Board of Education, New York City*

Of all the problems confronting social workers there are none about which less is known than those of the school. This is true of the average citizen as well as of social workers. I am sure of this because five years ago I kept a record of the percentage of attendance at the Women's City Club and the Men's City Club in New York City at meetings that were called about education in comparison with the percentage of attendance at other meetings and the former invariably registered the smallest percentage of attendance.

I have seen people get up and walk out of an audience when questions about school were introduced. Most men and women think that they know all about the school because they once went to school. They seem to think that the teacher's problem is chiefly that of teaching children to read, write, etc. But let me assure you that there is no problem confronting social workers that is not also facing every teacher in every classroom of every public school of every city in this country. Because of this fact there has been established a special branch of the school system known in New York as the probationary school. I dislike the name and never use it. Because of some clause in the State law regarding the payment of teachers' salaries a special name had to be given the school, so that name was used for want of a better one. As a matter of fact we have almost no children on probation. I think we have about 11 out of 1,573 at the present time who are on probation in my school from the Children's Court.

The aim of the school is to carry on a work of prevention among children who are discovered, by psychological tests, by the teacher's judgment or by the children's own behavior in school to be in need of special attention. They may be a behavior problem but by giving them the right kind of care they never reach a court. We are doing probation officers out of a job! The children are referred to us by schools, public and parochial alike, and occasionally by a judge in the Children's Court.

We have three schools of this type. There should be a hundred of them. The two that are in Manhattan are in my charge. One is downtown on the lower East side of New York and the other is a few blocks from the Museum of Art. In these schools we are trying to give different courses of study from those of the regular public schools in an effort to meet the aptitudes of the children who have shown in the regular schools that they cannot adjust themselves to the work.

Every once in a while a crime attracts the public interest. Most of us spend hours reading these accounts. Everyone read the Loeb-Leopold case. A good many read the Whittemore case. There are three divisions of society that get the blame for such occurrences,—the church, the home, and the school. Usually two of them are attacking the other one, so that instead of having the three united to work together to meet the situation, they are divided among themselves. I used to hope that the social workers would form a fourth force that would unite the three, but I have begun to wonder whether now it isn't three attacking the fourth. Some time I hope that all of us who are in these various lines of work will get together and that we shall find still a fifth group needing attack from us all,—the average business man.

I know of no big group that is as much an enemy of the things you and I are trying to do as the average business man is to-day, and the worst of it is that he controls the pocketbook, not only his own but that of the city treasury. By limiting the latter he brings about a neglect of the things that we are trying to build up, and increases the situations that we are trying to prevent.

For instance, we have had enormous amount of talk about crime waves and what has been the result? The teachers' salaries have not been increased and the school budget has been cut. The teachers' salary bill is, as a matter of fact, killed in many cities of this country. The probation officers' salaries are not increased in most cities. They are either left standing still or they are decreased and the newspapers contain editorials

decrying probation as a system of reform and demanding an increase in the number of jails and institutions. What is behind it? It is a spirit of revenge, of retribution and of anxiety about the loss that has been suffered; there is a complete lack of analysis of cause and an unwillingness to listen to what we who are most closely in contact with the situation are trying to say.

I am not interested especially in defending or attacking either the church or the home. We come in contact with both of them in our work, consequently we see their point of view and their difficulties. What I do want to do is to make you visualize a little bit of the school's point of view, what it is faced with and what is the school's relationship to this problem of delinquency.

The teacher knows that there can be no very great consideration of an individual child except at the cost of anywhere from 40 to 70 others, for many classes are as large as that. How can the teacher of such numbers even think of devoting her time to some one child who may happen to be a delinquent? If she does it means that the rest of that great group of children are not receiving the instruction that their parents have a right to demand that they shall receive. There is the teacher's problem.

The principal knows that 52 per cent of the teachers in this country are themselves for the most part in the ranks of youth, that is, under 25 years of age. They are constantly subject to change. Consequently we, who are principals, know that we are training youth to train youth. We have to train youth to recognize the juvenile delinquent.

These are two of the greatest reasons in my judgment for any inadequate handling on the part of the school of the responsibilities that do belong to it. I know that we are not meeting them as we should and it is a matter of great grief to us. But what I would have you realize is that the school is working under difficulties.

One of the first things we need is a decrease in the size of the classes and that means a larger number of teachers. There should be not only a larger number of teachers but better teachers, who could be induced to remain in the teaching profession as their lifelong work and not as a part time job while they are getting ready to be lawyers or doctors or social secretaries.

Another of our problems is the difficulty of providing methods in our schools of teaching occupations which are based upon individual aptitudes. I purposely use the word aptitude here and not

mental ability, as there is already a considerable attempt to differentiate instruction according to what we have learned to be mental differences and inabilities. But there has not been —and there isn't except in a very few places—any attempt to consider the child's aptitude. Consequently most children are forced to carry out the regular traditional courses of study, which I grant are essential to the average child, and as a result many are forced into the ranks of delinquents. They begin by hating school; the next step is truancy and the inevitable consequence of truancy is delinquency.

A few days ago a girl came to me who had gone to work at 17. She was under the continuation school law. She is a girl with considerable artistic ability. She wanted to be a designer and to study the various things that she needed to learn in order to be a successful and really artistic designer, but under the law she has to go to a continuation school four hours a week. I am not condemning the law, it is a good one. But in the continuation school she was put into a dressmaking class. As she didn't want to be a dressmaker the girl wouldn't go to continuation school and found herself confronting a judge as a violator of the law. The judge sent her to me to see if I could help prevail upon the principal of the continuation school to change her to something that she really wanted to do. Inquiry brought out the fact that the dressmaking class didn't have anybody in it and the designing class was crowded to overflowing so that she couldn't get in it!

A few years ago I took charge of the work of education in the classes maintained in the various detention homes. When I took hold of it I found that the teachers who were in charge of those classes were keeping the children at academic work from nine to three every day. Sometimes they would start earlier and finish later. They were doing reading, writing and arithmetic, history, or something else and there were about 10 grades in the room, of all ages, sizes and kinds. It was no wonder that they had disorder and trouble. That has all been done away with and instead the girls are being taught to sew, embroider and various other things that appeal and that will enable them to know how to do things for themselves when they go home.

Why is there this failure to consider the aptitude of children? That brings us back to that big factor—the public, this average business man. In order to consider the aptitude of children, to differentiate their work and instruction accordingly, two things

are necessary,—teachers of ability and supplies and equipment of a totally different character from any we have ever had before. And that, of course, means money. Supplies for the type of work that I am talking about cost ten or more times as much as the traditional type of supplies for schools. Books and the brains of the people who write these books can be bought for one-tenth of what it costs to supply a school with metal and brass. I know whereof I speak because I am in trouble right now on account of that very thing. The public is unwilling to be put to that added expense.

Another of our failures is that we are not making children face the facts of life; we are trying to gloss them over, to make them think that they are better or different than they really are. In so far as we cheat them about themselves we are sending them out into the world unable to meet life as it really is. My experience teaches me that children will face facts if we adults will just let them. The child is never resentful of being told what he is able to do and what he is unable to do. They all know what the truth is, and are not deceived by the camouflages we create. For example, you may call a class of mental defectives "ungraded", but both the children in the class and all the rest of the children in the school will call it the "dope class". We might as well save ourselves the trouble of trying to give a name that won't carry significance to the children for they will know it for its true worth. Let children face the facts of life as they are for thereby we are giving them a solid foundation to stand on.

Another weakness in our system is due to the passing of compulsory education and child labor laws without passing also the means by which they can be enforced and without the publicity by means of which they can be understood. I am an ardent believer in compulsory education laws. If I could work it, I would do away with working papers all the year around for the 16 year old. The question of employment certificates for this and that is one of the worst nuisances we have to contend with. It is also provocative of an enormous amount of temptation to deceit and wrong doing. On one day recently I had five falsified birth certificates.

Those of us who are principals are interested in analyzing all these things and making a scientific study of them, but the teacher as a rule, and of necessity, is trying to get something that she has been ordered to do done in a certain specified time in such a way that it will meet the satisfaction of the superior

ones who are paying her salary. Frankly and practically put, that is the teacher's situation, and that is what the public is pressing her for,—education to be given to future citizens. We must understand that that is the teacher's point of view and that when we ask her, in addition, to take hold of this great problem of juvenile delinquency and give the individual children who are in her class the individual study, analysis and corrective measures that will remove any individual delinquency, we are asking that teacher to do two people's work instead of one.

Consequently I say that the time has definitely and positively arrived when those who are doing the work of the probation officer and the people who have made such progress in the study of social work and of the best processes of social work, should get into the schools and understand the teacher's problem so that we can work together for the accomplishment of this common end—the prevention of juvenile delinquency.

In conclusion then the points we would press are that:

1st:—The delinquency which manifests itself in school in maladjustment, truancy and insubordination, is not a problem that the classroom teacher should be expected to handle. She should be expected to recognize it but she should call on you to do the work in regard to it outside of school.

2d:—The individual study and treatment of problem children should follow without reflection on teachers and without asking the teachers to do it. What I mean by "without reflection on the teachers" is this: In a great many cases, not so much in the large cities, as in the smaller towns, if the teacher makes a report of a delinquency problem, she loses her job the next year, because the attitude taken by many employing authorities in many towns all over the country to-day is that such things wouldn't happen if the teacher knew how to control the pupils! Reform of an individual child must be brought about without reflection on the teacher, otherwise a teacher, whose livelihood depends on her job, will not tell about such things and the child, in the last analysis, is the sufferer.

3d:—There should be a segregation for differentiated instruction of individual problem cases. I want to urge that the segregation should not be in classes in the same building with a large group of normal children. The reason for that is economically based on the cost of equipment. A great number of such children can be put under the care of specially trained teachers in one building and have that cost just exactly the same as each

separate class would cost, if the separate classes were in separate buildings.

4th:—The public should know more about school problems.

5th:—Closer cooperation between social agencies, the school and the police should exist. Note that I said the "school", I did not say the "school system". The cooperation must be between the teacher handling the child and the social worker, not between the superintendent of the schools or the board of education or the people who are in authority. One of the mistakes social workers make when they come into the schools to get help or give help is that they go to the head of the school instead of to the teacher. It is the teacher who needs the help, it is the teacher who knows the individual case; it is the teacher who stands ready to give the help that is needed.

And so I plead for an understanding of the teacher and her problems on the part of social workers, and for a little less criticism. Let us all work together in the handling of this problem in which we are all so deeply interested for it is important, not only from the point of view of the individual child who is a delinquent, but from the point of view of other children who are being deprived by the delinquent of their right to untroubled instruction.

THE RELATIONSHIP OF THE JUVENILE COURT TO THE POLICE

HELEN D. PIGEON, *Associate Secretary, International Association of Policewomen, Washington, D. C.*

Any discussion of the relationship of the juvenile court to the police must take into consideration at the very outset the fact that neither one of them is the central figure in a community program for the welfare of the child, but rather that each of them is a link in the chain which society is building for his protection. They represent two distinct branches of the government, the judicial and the administrative, whose separation is a part of the religion of our American system, whether federal, state, or municipal. Neither one revolves about the other, nor will one absorb the other. But each must function to its fullest capacity before the child can reap the benefit of our enlightened thought, and on the proper welding of these two links much depends.

The child is the central figure for whose development the machinery of the court and the police are being improved. He is loved and understood to-day perhaps as never before. For this we owe much to the juvenile court idea, which has not only forced the body politic into a more complete recognition of and a provision for its most precious possession, youth, but has also brought about an intensive study of the individual child and an analysis of the elements in his make-up, whether mental, social, or physical. This material has enriched the very sciences which made its collection possible and has led to their more extensive application to the everyday matters of child life.

The ability to diagnose led inevitably to a scientific study of causation. While each case differed from every other in some particular, it soon became apparent that certain factors, such as mental defects, bad home conditions, or an unsuitable environment, recurred again and again. Such a discovery made two further steps obvious: first, the treatment of the individual offender through the improved service of probation, child-placing, vocational guidance, recreation, and mental hygiene; secondly, it demanded a better understanding of the agencies in the community which mold the child and prepare him for his rôle as a citizen, and a concerted effort on the part of the community to strengthen and fuse them. At various points in his career the child is touched by the influence of these agencies, the home which caters to his infant needs and supplies him with love, nurture, and guidance throughout his formative years, the school and the church, industry and recreation, and if he falters or is the victim of circumstance, the police, the court, social service organizations, the reformatory, or the institutions for the defective. Each of them stretches out a hand toward him. Where shall the touch be heaviest? In the normal places of life—the home, the church, and the school? Or must we wait for the heavier, more unnatural touch of the court and the reformatory? Shall we allow certain links to remain so weak and so poorly joined together that the child can break through the chain at will? Or shall we strengthen the normal forces of life so that every child will conform and fit into the present scheme of society? This is naturally our ideal, but we realize that it is not obtainable at the present moment. The court and the reformatory still have a leading rôle to play.

The police department holds a position between the agencies which deal with the normal situation and those which deal with

the abnormal, because it deals with both. This is not a popular conception, I realize, and I often wonder if we can ever calculate the harm which that maternal warning, "Be good or the policeman will get you," has done in causing hatred and fear of a department which holds the kernel of so much good.

A long time ago Blackstone said: "The public police and economy must be considered as the due regulation and domestic order of the kingdom, whereby the individuals of the state, like members of a well-governed family, are bound to conform to the rules of propriety, good neighborhood, and good manners." Unquestionably it was intended that the police should function more intelligently and completely as social agents. Already they are charged with the preservation of peace, the protection of property, and the prevention of crime—broad powers which have never been defined. Every day they are making social adjustments whose value only the initiated know, by words of warning or advice or encouragement in every variety of neighborhood and domestic difficulty. They touch the abnormal problem of crime, to be sure, but as they pound their beats twenty-four hours a day, seven days a week, every week in the year, they touch the normal life of the people as no one other group in the community ever does. When Johnny plays ball in the street or raids an apple orchard, the situation is a normal one; when his habit of law breaking becomes confirmed, it may be abnormal. In both instances the police are necessary in our complicated city life of to-day. It behooves us to acknowledge what they are doing and to recognize the potentiality of their position as a link in our chain.

It is this idea which furnishes the motive for the development of the policewoman's movement. We hope and predict that the use of trained women, experienced in social case work, will act as a leaven within the police department itself and will demonstrate to the public the social significance of police work. It will not only bring about a more scientific handling of the individual case, but it will lead to better supervision and control of neighborhood conditions and will have its constructive side, in pointing out the lack of proper recreation or the necessity for better legislation. In fact, it is an extension of the juvenile court idea to another arm of the government service.

In preparing this paper I naturally turned to the documentary evidence of reports, articles, and books regarding the relationship of juvenile courts to the police. Except for speeches

previously delivered before one or another of the social welfare associations, very little has been written. A paper on this subject, if it possesses no other virtue, has at least, then, been forced into some originality of thought. One book entirely devoted to the subject of juvenile courts dismissed the whole subject of the police in one paragraph of ten lines. Does this mean that the relationship is so good and so standardized that no comment is necessary? Or does it mean that one link in our chain is so weak that it is negligible? I fear that the latter supposition is nearer to the truth than the former. If I have seemed to dwell unnecessarily on the subject of the police, it is because the crux of this whole situation lies there. While the police represent primarily the strong arm of law enforcement and come into court merely as witnesses for the prosecution, their relationship with the court is more or less a simple matter. When, however, the police begin to function socially and are equipped to investigate and diagnose, the whole situation begins to shift and to demand a readjustment.

Having said this, I might easily stop here, because I shall not be able to draw any conclusions as to the relationship between the juvenile court and the police from the standpoint of technique. Not only is the ground shifting between the juvenile court and the police, but the whole subject of social service by public departments is under adjustment. The government is recognizing its duty to youth and is absorbing slowly but surely many of the measures whose usefulness the private agencies, acting as laboratories, have demonstrated. Thus we find in the school to-day the school nurse and physician, the school visitor and parent-teacher's association, the class for defectives, trade training, free lunches, vocational guidance and employment bureaus, all of them testimonials to the two new ideas—first, that the state is the parent of the child, and second, that the children must be treated as individuals and not as groups. Unquestionably the coming years will see the development of some standardized municipal plan for child welfare which will provide for mental and social hygiene, for medical and psychiatric clinics, for trade training and vocational guidance, for child placing and detention, and the complete socialization of schools, police, courts, and institutions. This will mean a rearrangement of these agencies now attached to every variety of public and private organizations and will make possible some definite

standards for the relationship between the juvenile court and the police.

At the present time we must confess we are in the grip of a transition period. The coöperation between the juvenile court and the police ranges all the way from a system under which policewomen are actually detailed to the juvenile court for the special purpose of making the investigations and acting as a clearing agent, to instances where the court resents even the most friendly questioning of the child by the policewoman, and to the truly classic example of the policewoman who had never met the juvenile court probation officer because she had been told that preventive work meant keeping children out of court. Consequently she was refusing to bring even the most critical and urgent case to its attention. In other words, the trial and error system is in full swing and the only criterion seems to be—Will it work? But no scientist—and the true social worker is a scientist at heart, although she works with human beings and society instead of with test tubes and guinea pigs—will be satisfied with continual experimentation. She knows that somewhere in the midst of these methods must lie the truth from which definite standards can be evolved.

The introduction of the really trained policewoman inevitably means that better investigations will be offered by the police department than heretofore and that the court and other social agencies will depend upon them more and more. Often these investigations will not be initiated for the prime purpose of serving the court, and only the full facts will reveal the necessity for court action. For instance, a little girl of fifteen years is found by a policewoman picking up a strange man in a public park. A mere warning may at first seem sufficient; a few questions reveal bad home conditions; a physical examination shows the presence of venereal disease, and further search gives a long history of sex promiscuity and other delinquencies demanding the attention of the court. Only the complete investigation permits a true diagnosis and points the way to treatment. The reference of this case from one agency to another in the course of its investigation is harmful to the child and costly to the community. True economy seems to be served when the policewoman conducts the investigation and refers the case directly to the agency best able to deal with it. Such an investigation (taking for granted, of course, that it is reliable) should be used without question by the court.

On the other hand, let us consider this case: A young boy is caught in the act of breaking and entering a grocery store. The officer arrests him immediately and he is arraigned the following morning before the court, which immediately sets in motion its own machinery for investigation. For the policewoman to carry on her own inquiry is wasteful and subjects the client to the discomfort of two investigations. She may, of course, be asked by the court to make the investigation, which is quite another matter. Probation officers themselves have not come to an agreement as to whether investigations should be made by probation officers especially detailed to that work or by the officer who will later have supervision of the case. Furthermore, they complain that they cannot do their full duty to their probationers when investigations for the court consume so much of their time. And the judges resent the number of cases which are brought hastily into court by the police, before the full circumstances are ascertained. Perhaps in the future, when the policewoman's movement has been more fully and universally developed, she may serve the court as an investigating agent, exactly as certain private agencies are even now aiding it in many communities. Such a service by the policewoman has already been tried in several cities, to the mutual satisfaction of the court and the police.

The policewoman can also render signal service to the probation officer in the supervision of cases. By her presence in court and in places of public recreation she becomes familiar with the probationers. She can inform the probation officer of their delinquency and to the young people she can offer warning and guidance at a time when temptation is strongest and the probation officer is necessarily absent. On the constructive side the possibilities are unlimited, for the policewoman and the probation officer can consult together over the sore spots in the community and can offer recommendations for legislation and better recreation based on knowledge and experience.

In conclusion, let me reiterate that in the relationship of the juvenile court and the policewoman (the gentlemen will excuse me if I seem to dwell unnecessarily on the policewoman, but I regard her as the entering wedge in this new scheme) it is necessary to remember that we are in a period of transition where no experiment can be considered final; that the police are emerging from the general opprobrium surrounding criminal procedure from which the juvenile court once suffered; and that we find

ourselves in a situation where the humanities and science are interwoven as in no other profession. For the immediate future we must have earnest professional work and a fine spirit of tolerance and understanding on the part of the professional workers themselves.

THE RELATIONSHIP OF THE JUVENILE COURT TO THE POLICE

JOSEPH L. MOSS, *Chief Probation Officer, Juvenile Court, Chicago*

The business of the police is to protect the person and property of members of a community, to prevent crime by proper regulatory measures and to apprehend offenders against the law, whether they be men, women or children. The police have no powers of punishment.

In our present conception of human rights the courts may not take cognizance of delinquency, unless on the complaint of a parent, except as it manifests itself in overt acts. When these acts threaten the peace and dignity of a community, the matter becomes one for police inquiry. A logical division of responsibility between the probation officer of the juvenile court and the police for initiating action in an alleged case of delinquency is to let the police handle all cases involving the protection of persons and property, the probation department taking up cases in which the parent asks assistance in the control of his child. Probably 90 per cent of the cases of delinquent children which are brought to the attention of juvenile courts come through police channels.

A mutual understanding and a satisfactory working relationship between the juvenile court and the police department are essential, therefore, to any successful juvenile court work. There appear to be three general types of such relationship.

1. Under the first plan the police department turns over an arrested child to the juvenile court with a written report covering the offense. A variation of this is the Massachusetts plan under which the probation officer goes to the police station to learn the facts first hand and to take charge of the child. Under this first plan the police department drops out of the case with the making of its report to the court, the probation department assuming responsibility for a disposition of the

case without court action, or upon its own investigation presenting the case to the court.

2. Under the second plan the arresting officer takes the child before the judge of the juvenile court just as he would an adult offender. The judge proceeds to hear the evidence, disposing of the case on the basis of facts presented, or remanding the case for investigation by the probation department, if in his judgment a social investigation is necessary.

3. The third plan contemplates the designation of a specialized group of police officers to handle up to a certain point the cases of all children coming to the attention of the police. These juvenile police officers, as they are called, may be commissioned volunteer probation officers of the juvenile court. Their work is limited to adjusting cases of children in which court action is not indicated, and in presenting to the juvenile court those cases in which the child's delinquency is such that the question of a change of guardianship should be considered. These juvenile police officers are assigned to designated police districts. The normal complement of a police district or division is 100 men, which number includes a captain, three lieutenants, sergeants and patrolmen. Of this group one patrolman is selected to handle all children's cases coming to the police of the district. These juvenile police officers work under a commanding officer of the police department whose headquarters are at the juvenile court. An officer arresting a child immediately turns the case over to the juvenile police officer for disposition. Juvenile police officers should be chosen for their intelligence, their training and their sympathy with the juvenile court viewpoint. The selection of the commanding officer who directs their work is a determining factor in the success or failure of the relationship between the police department and the juvenile court.

Under any system the police must handle a great number of children whose cases do not need court action. Dependent children in whose cases there is an acute condition caused by the arrest, or the sudden illness or death of the parent, may come to the attention of the police. These cases should be referred at once to the probation department, with all the information from the police. This is usually done under any plan of relationship. There is no question here of violation of law. Neglected children, if prosecution of an adult is not involved, should also be referred at once to the probation department.

A large percentage of the cases of alleged delinquent children should never go into court. To say that every child who

is discovered in an offense should come to the attention of the probation officer is to over-emphasize the effectiveness of the average probation officers' work and to ignore the fact of the incidence of recovery in delinquency—to borrow an expression from the medical profession. Some situations, discovered or undiscovered, are best left to be forgotten as quickly as possible. Under any system the police are going to handle lots such cases. Under a proper relationship, however, a great many cases which, though they do not call for court action, nevertheless need supervisory care, should be referred to the probation department just as are the cases of dependent children.

We are all agreed that there must be a social investigation by a probation officer in the case of every child brought before the court. This investigation starts with the complaint of alleged delinquency as the symptom of a disorder, but stresses the social facts, including the child's personal history, his home, his relation to his family and the community, his physical condition, his mental attitude, his school or work record, his recreations and interests, etc. This side of the child's case belongs to the probation officer. There is a clear-cut division between the social study and the police complaint. Police work should in this connection be limited to its own job, namely, that of apprehending the offender and presenting evidence regarding the commission of an offense. Probation and supervision of a child, including the collection of restitution payments, should never be left to the police.

I myself am committed to the third plan outlined for coördinating the work of the courts with that of the police. Let me point out some of its advantages:

(a) Under this plan the police department, because of the fact that it follows the case through, does not have a basis for the feeling that the probation officer is offsetting the work of the police department by releasing offenders whom the police have apprehended. The juvenile police officer cannot but get the juvenile court point of view, and so, in a measure, the police department is socialized, at least in the handling of children's cases. The juvenile police officer in a suburb of Chicago which recently adopted this plan told me of having to complain to his chief of police because police officers were bothering boys whom they had once arrested for an offense. This took the form of questioning the boys whenever seen as to what they were doing, whether they had been in any "jobs" recently, loose talk to employers about the boys' police record, etc. The juve-

nile police officer was able, because of his relationship to the Police Department, to point out and to correct an abuse which is almost universal in cities.

(b) Police coöperation in matters affecting children can be secured to excellent advantage through the commanding officer assigned to juvenile police work. The practice of holding boys in police stations in Chicago just does not exist. Non-resident children who have run away from home and who are picked up by the police are immediately referred to the Probation Department. The assistance of the police in locating and apprehending missing children, or children who have left home, without parental consent, can very readily be secured.

(c) Through the commanding officer, the work of juvenile police officers can be directed, since this commanding officer must approve action taken in cases. For instance, in Chicago we have been able to put into force a direction requiring a conference between the juvenile police officer and the juvenile court probation offier in the case of any court ward coming to the attention of the police before any action is decided upon.

(d) As to the release of children pending investigation and hearing in Chicago the judges of the Juvenile Court have taken the position that they have jurisdiction in a child's case just as soon as the child is taken into custody. The police department may place a child in the Juvenile Detention Home, but may not release him without an order of the court. The court has conferred the authority to release on the Chief Probation Officer and (in police cases) on the Lieutenant of Police assigned to juvenile police work. Centering the responsibility for releasing children has resulted in the detention of fewer children.

(e) Police coöperation in matters involving the prosecution of adults for contributing to the delinquency of children and the correction of certain wrong conditions affecting children, is expedited by this close relationship.

There will always be a need for departments of police. The juvenile court with its new approach to problems of delinquency is also here to stay. Let us understand each other's fields and learn to work together.

DISCUSSION

QUESTION: I should like to ask Mr. Moss whether he believes the existence of a well organized woman's bureau supplementing the work of the common pleas and juvenile officers would be effective.

MR. MOSS: I believe in women police. The mistake that was made in Chicago with the policewomen was that there was no woman's bureau. Thirty policewomen were appointed. They were assigned to districts without unified direction of their work. The captain didn't know what to do with them. He sent them to dance halls, beaches and similar odd jobs. The policewomen gradually, in that way, took on the aspect of the regular police which I hope isn't the case anywhere else.

We now try to have policewomen assigned to the juvenile court. The first time we tried that it didn't work because they were under police direction. They were not doing a distinctive type of work. When a child is taken into custody by the police at a station where there are policewomen, the woman police officer and the juvenile officer work with the child until the juvenile court takes hold of the case.

I do not believe that the police department is going to develop into a social agency over night. We shall have to work in that direction. But there are a great many things the police department can do without entering the juvenile court field of preventive work and there is a big job there for the policewoman.

MR. HAMILTON (R. I.): Last year at the Denver Conference I asked the program committee of this Conference to include the policeman's viewpoint in our program. I should like to repeat that request for the coming year. Having the policewomen on the program this year is a step in that direction. The great majority of cases come to the probation officer from the police department. So why shouldn't their viewpoint be presented in our probation conference?

MISS HUTZEL (Detroit): I think the point just raised regarding the inclusion in our conference of the viewpoint of the police is a good one.

In Detroit there is a Woman's Division of the Police, and a system obtains whereby women police officers take all the complaints that are made in regard to juvenile girls. They make the investigations. Last year, of the 1,776 cases that were reported for investigation, 403 were reported to the juvenile court on complaint, the others were either referred to a private social agency for treatment or were adjusted by policewomen. Of the cases that were referred to the juvenile court 100 per cent were accepted.

The important essential in such a method is for the policewomen to be of such a type that their work will lead up to the work being done by the juvenile court probation officers.

I believe that the relationship between the police and the juvenile court can be worked out in any city as satisfactorily as it has been worked out in Detroit. The reason for Detroit's success has been due to the fact that the women officers have had the same background of experience and training as the juvenile probation officers have had and the executives of the court and of the police department have honestly and sincerely coöperated in working out all problems, in order to prevent friction and to obtain the best results.

MISS SAUNDERS (Detroit): Miss Hutzel touched the keynote of our success in securing close coöperation between the police and the court in Detroit when she said that the executives work together. We do work together. The officers of the Women's Division who are chosen for the juvenile work, are selected after a conference between the executives of the

two groups. Their background of training is identical and their own personal backgrounds are, as far as possible, similar. Sympathy and understanding exist between us. There are almost hourly consultations in the handling of cases so that there is absolutely no possibility of a difference of opinion and method of treatment.

THE JUVENILE COURT AS A CASE-WORKING AGENCY

FRANCIS H. HILLER, *Field Secretary, National Probation Association, New York*

I assume we are agreed that the juvenile court must be a social case-working agency, although there are courts to which this is an alien thought. The theoretical limitations of case work in the juvenile court in comparison with other agencies, vital as is the bearing of this issue upon the direction of future developments in this field, I shall not discuss. In few juvenile courts, if indeed in any, has social case work so closely approached the ideal limitations imposed by inherent conditions as to be seriously hampered thereby. We would further agree, I assume, that the juvenile court should perform thoroughly and efficiently the functions assigned to it, however much we may disagree as to what those functions ought to be, in the present or in the future. Observation of the juvenile court case work actually being done in communities of various types and sizes in various parts of the country, and experience in devising means for its improvement, suggests emphatically a more immediate and practical aspect of the subject: What are, in fact, to-day, the forces limiting the development of good case work in the juvenile courts? In our efforts for progress are we facing the real obstacles?

To remind ourselves how far, taking it the country over, our juvenile court practice lags behind our knowledge, is a painful but salutary exercise. The gloomy picture of the situation occasionally drawn for us is true. But why are the shadows so extensive, the high lights so few? Why, after a generation of rapidly improving standards, given wide publicity, and even after the enactment of juvenile court laws conforming, in many respects, to the best of these standards, does actual juvenile court work, over so large a portion of the country, remain so incomplete and ineffective? This inquiry will involve some rather commonplace and uninteresting considerations; but they are none the less vital and fundamental.

There are, in the first place, the limitations imposed by the qualities of the judges themselves. However much we may exalt the importance of the probation staff and the equipment of the juvenile court, it is the judge who immediately determines the policies of the court, its organization, its procedure, and its spirit. The "Juvenile Court Standards" adopted by the United States Children's Bureau and the National Probation Association state that "the judge should be chosen because of his special qualifications for juvenile court work. He should have legal training, acquaintance with social problems, and understanding of child psychology." Some state laws reiterate and even amplify this standard. Yet in most communities the judge exercising the juvenile court jurisdiction has not been chosen with primary reference to that function at all. He has been chosen to preside over the circuit, or district, or county, or municipal, or probate court, and the juvenile court law imposes upon him only an incidental function. Even when the law gives him exclusive jurisdiction of children's cases, and when this provision of the law is observed, he may, and often does have, little inclination or adaptability to the work. His legal training may result in undue regard for harmful technicalities of procedure, and his experience in the administration of the criminal law may result in his carrying into juvenile cases the punitive theory of justice. He is likely to be affected by the point of view held by so large a proportion of the legal profession and of the general public as well that children's cases are comparatively trivial, or he may even regard them as a vexatious burden.

There are signs of an increasing disposition, among lawyers as well as laymen, to question the method of selecting judges for all the courts by popular election. Some of the most conspicuously successful juvenile court judges have hard fights for reelection, and in very many communities the persons best fitted for the work are deterred from becoming candidates by reason of political independence, or a dislike for the hurly-burly of political campaigns. Even in states where the desirable precedent obtains of retaining in office satisfactory judges, regardless of partisan politics, political considerations are an insidious force limiting the independence and integrity of the courts. Our judges are without doubt our ablest and most conscientious public officials. But an able and conscientious judge who has served several terms told me that as each successive election approached, he felt that it would be more and more difficult for

him to rebuild a private law practice; that as he grew older he felt an increasing dependence upon retaining his office, and saw the time coming when it would be difficult for him to leave entirely out of consideration the political bearings of the cases coming before him.

But entirely apart from any question of personal integrity of the judges, which probably influences the disposition of very few cases in very few courts, there is the much more important limitation on the case work of the juvenile courts imposed by the mere fact of its being a public agency. A group of like-minded, progressive citizens may organize for any purpose not actually forbidden by law, and conduct social experiments; they may be pioneers. But the courts in a democracy are created and supported by public laws and appropriations, and they must commend themselves to the public. They may lead public opinion, but they cannot go far ahead of it, and they must be sure it is following. True, much depends upon the manner in which new things are done, and the angle from which they are presented to the community. Methods and personalities play an important part in the community reaction. But the fundamental fact remains that common opinion constitutes a limitation, beyond which any official public agency attempts to pass at its peril. Social workers are well acquainted with the forward-looking but canny judge who, although himself thoroughly in accord with some policy urged upon him, nevertheless postpones its adoption because he knows that at that time, in that community, it would discredit the whole juvenile court program. Social workers also are well acquainted, be it regretted, with the standpat judge who lacks the courage or the enthusiasm to lead his community and convince them that the time has come for a certain progressive policy to be adopted.

Nowhere are the limitations imposed by public opinion more obvious than in the probation service. Acutely aware of this indeed are those of us who have attempted to persuade a county board of supervisors that they ought to appropriate money for an adequately paid probation staff of competent officers. Forthwith we are confronted with the tragedy of the already overburdened taxpayer; of the struggling farmers who are in danger of losing their property; of the laborers and small tradespeople who don't want this innovation; with the point of view that all this is for the benefit of criminals who don't deserve any consideration; and to our arguments that probation officers

ought not to be burdened with an utterly impracticable volume of cases is made the reply, often with much justification, that no public officeholder was ever known to overwork. These and similar arguments are often sincere, and the attitude they express constitutes a disastrous limitation to-day upon the effectiveness of our juvenile courts, and upon adult probation as well. These county boards are the chosen representatives of the people, and their powers are those conferred upon them by state constitutions and legislatures, adopted or elected by the people.

To be sure, it is not always easy to know just where to look for public opinion. It may be contended that county fiscal boards, or even state legislatures, often do not represent even average public opinion, and certainly not the best public opinion; that they are often interested not primarily in the good of the people, but in the success of a party or faction. In large measure this is true; but the practical question is whether their opinion, or at least their expressions of opinion, are not the effective public opinion with which the juvenile court must deal, and by whose decisions it is bound. They are organized, and vocal, while the friends of the court are too often unorganized and silent.

How can we expect good case work to be done by juvenile courts which have no case workers; or by courts whose case workers are political hangers-on of dubious personal character, or are untrained, uneducated weaklings? That is the practical situation confronting us to-day in many of the juvenile court jurisdictions of the country. The strong-arm type of probation officer who carries a gun and occasionally beats up his wards appears fortunately to occur only in adult probation departments, and not in many of them.

Another most devastating limitation upon juvenile court case work is the lack of understanding, still widespread, as to its real significance, purpose, and methods, on the part not only of the general public, but even of judges and others administering the juvenile court law. Nearly every state has accepted the juvenile court in theory, but over large areas of most states, perhaps of all states, there is a woefully inadequate understanding of what the court is really intended to accomplish, or how it should function. We find courts in which there is entire satisfaction with untrained volunteer probation service; in which there is no need felt for the social investigation of cases; in which physical examinations are never ordered unless neces-

sary to procure admission of a child to an institution, and in which, as to mental examinations, one would not dare use the word "psychiatric"; which use a strictly criminal procedure in children's cases, regardless of explicit provisions of the law; in which the hearings are public and social records are unknown; which not only tolerate but encourage adjustment by police departments of children's cases, with jail detention as an incident. Communities where the judges and probation officers are capable, devoted people, constantly improving on their own best work and diligently striving to push the cause forward, are the high lights of our picture, easily diverting our attention from the more extensive shadows.

Just one illustration, from a county of 75,000, in a prosperous state; a county which has two colleges and is a nationally known medical center. There are no probation officers, except the part-time of an official who holds three other county positions, any one of which might well occupy all of his time. A girl was brought before the juvenile court charged with delinquency. Her case was regarded as a serious one, and her commitment to a state institution was considered. There was no physical or mental examination. At the hearing a married sister of the girl asked for her custody, proposing to take her to her home in a large city, find work for her, and watch over her. The sister's home was not investigated, but her proposal was accepted, on the condition that she report to the court by mail monthly. The well organized juvenile probation department of that city was not called upon for any coöperation in supervising the girl while on probation. After several months, during which the monthly reports had stated all was going well, the girl's family informed the court that she had been doing very badly, and had now run away from the sister's home. A few days later the girl was taken into custody by the police in the city, and placed in the juvenile court's detention home. The skilled probation staff there, learning of her being on probation (if indeed we may call this probation) telephoned to the court of which she was a ward. That court directed that she should not be held in the detention home, but released to that same sister, and a few days later a male officer was sent with a warrant for her arrest. Of course she hadn't waited at her sister's to be arrested. This story was related by the part-time probation officer only as an illustration of his difficulties, and appar-

ently without any consciousness of imperfections in his methods of case work.

This is a fair illustration, I believe, of the quality of case work that is being done in many good communities in every state. A few people in those communities know how much better work ought to be done. With those people the juvenile court is not a highly regarded agency. It is by its case work that the juvenile court must commend itself or fall into disrepute. There have been enough of high-sounding praises of the juvenile court as an end in itself. The general principle of the juvenile court is, for the time being at least, accepted almost everywhere. It is time we realized the urgency of improving the standards of juvenile court case work, not merely in progressive communities which are working out their problems for themselves pretty well, but in those more numerous jurisdictions where little or no progress is being made. In this, as in many other fields, getting a law on the statute book is only a beginning. Much better work could be done in those same jurisdictions were the right people at work even under very disadvantageous laws.

A thorough realization of the status and needs of the juvenile court need not lead to pessimism or discouragement. It would be remarkable indeed if all parts of the country made progress at the same rate. In the development of social institutions a quarter of a century is, after all, not a long time. And if the high lights of our picture were extinguished, doubtless the shadows would assume a lighter gray, by contrast with the blacker things of a century or two ago, even in our own country. Our chief concern should be as to how we may best make progress. Facing the facts of the present situation is not mere calamity howling; it is a necessary preliminary to progress.

It is easy to say that at the root of the forces limiting the efficiency of juvenile court case work is a widespread lack of information and of understanding, and that therefore the thing to do is to educate public opinion. But something more is necessary. It is one thing to get people's passive consent or agreement; that is only removing their opposition. It is quite another thing to get people to do something; that requires organization and long continued, wisely directed activity. It is not enough that public opinion should favor our general aims; it must be roused to active support of specific proposals. Educational efforts must be continued, yes, and redoubled; but in addition there must be responsible machinery in every state for

persistent following up of educational work. Only thus can the full possibilities of the juvenile court be realized.

There are many forces operating to bring about a wider knowledge of good juvenile court standards, and to prepare the way for general acceptance of measures for the improvement of the courts' work. We call to mind at once the educational work of the Federal Children's Bureau, of state probation commissions, and of enthusiastic judges and probation officers. Improved standards of case work in other branches of social work are demonstrating the need for improvement in probation case work as well. The National Probation Association is doing its bit. It is most encouraging that more and more requests are being made, from widely separate parts of the country, for studies to be made of juvenile court work and for suggestions for its improvement.

But for the official, authoritative agencies by which the juvenile court laws are set in operation we would do well to contrast the court with the public school. The teacher must satisfy certain educational requirements and pass an examination before becoming eligible for appointment. In only a few states and cities has a beginning been made of similar, though as yet rudimentary, requirements for probation officers, through civil service examinations. The superintendent of schools is appointed by a nonpartisan board of citizens selected for their interest in educational work. Does anyone propose that he be compelled to campaign for reëlection at stated intervals, as is the judge of the juvenile court? The school curriculum, and the methods of instruction, are set forth in great detail by a state department of education. Why leave each county to grope about as best it may for methods of dealing with delinquency, neglect, and dependency? State tax funds are devoted to the encouragement and necessary aid of local districts in the maintenance of proper standards in school work. Why not in probation and juvenile court work? England has now adopted this policy: The British Home Office is authorized, by the Criminal Justice Act of 1925, to aid local units in the payment of the salaries of probation officers.

Some of our states, of course, have gone much farther than others in the state control of education; but all recognize that some degree of state supervision, direction, and financial aid is necessary. It is unthinkable that we should leave to individual school districts the entire control of the public schools.

Yet the condition such a policy would cause would be no more chaotic than at present prevails in juvenile court work. Why should the more difficult problems presented by case work with delinquent, neglected and dependent children be left as extensively as they are to local initiative and local resources?

There are of course important beginnings of state supervision of juvenile court and especially of probation work. In a greater or less degree it is already established in thirteen states, including New York, Massachusetts, Connecticut, Indiana, Pennsylvania, Alabama, Arkansas, North Carolina, and Virginia. Some of these states, however, have done little more as yet than to recognize the principle. Two small states, Vermont and Rhode Island, have established unified probation systems for the entire area. A similar policy for adult probation in a larger state, Wisconsin, has not demonstrated itself to be practicable. Utah has gone so far as to establish a State Juvenile Court Commission which appoints the judges and probation officers of all the juvenile courts of the state, and maintains them from state funds. It would seem that this system would err on the side of leaving too little to local initiative; it appears contrary to the genius of our system of government, in most states. It is not desirable to destroy the opportunity for local interest and responsibility. On the awakening of that interest and the development of that responsibility depend, in the long run, all the possibilities for good in juvenile court case work as well as in other fields of public service.

Realization of the utmost possibilities of juvenile court case work depends, then, fundamentally upon the creation of a general appreciation of its importance and of the skill required for its successful administration. But to aid in creating that appreciation, and to build upon the foundation when laid, the active aid is needed of responsible public departments. The methods by which progress can be secured will include radical changes in the methods of selecting judges and probation officers, aiming at their advancement to a professional status; the direction, supervision, and probably the financial aid of the state will be required.

Though we no longer believe that the voice of the people is the voice of God, we still believe in democracy as the best plan of government yet devised. But we are becoming more keenly aware of its shortcomings, and are tempted to impatience with

its slow rate of progress. A distinguished foreign observer once told us that the cure for the evils of democracy was more democracy. We are more inclined now to agree with a distinguished American statesman, Charles E. Hughes, when he tells us that the cure for the evils of democracy is not more democracy, but more intelligence.

PROGRESSIVE METHODS OF CARE OF CHILDREN PENDING JUVENILE COURT HEARING

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Any community planning for the temporary care of children before the first hearing, during continuance of the case, or during the interval, if one be necessary, between commitment and actual admission to an institution, must consider three questions:

(1) What kind of children and about how many will require such care?

(2) What method or methods of care are best suited to the needs of the community?

(3) What standards should be maintained in the development of the types of care selected?

What children should be given temporary care? It is generally agreed that the number of children detained and the length of detention should be kept at a minimum. "This may be accomplished," the juvenile court standards drawn up by an advisory committee appointed by the Children's Bureau state, "through frequent hearings, prompt investigation, sufficient court staff to expedite the movement of cases, and adequate facilities for institutional care." Children should be kept in their own homes pending hearing except under the following conditions: When home conditions are such as to make immediate removal necessary; when the parents cannot be relied upon to produce the children in court; when the children are runaways or beyond the control of their parents; when they are charged with delinquency so serious as to make it seem unsafe for the community for them to be at large; when they must be held as witnesses; or when they are in need of study so intensive as to require continuous observation.

Two recent unpublished studies—one of a large city and one

of a county with both urban and rural population—have shown the large percentage of children (more than two-fifths in the first community and more than half in the second) released from the detention home to parents or relatives. The reports of both studies raise the question of whether the problems of many of these children could not have been adjusted without any period of detention care.

If it were generally recognized that the first essential in the administration of any form of temporary care is a sound admission and release policy, based upon the individual needs of the children with whom the court and allied agencies are dealing, there would be no more building of detention homes in advance of the employment of at least one well-trained and well-equipped probation officer, in whom can be vested discretion as to what children should be detained. Moreover, there would be no more construction of expensive buildings without an adequate basis of fact, obtained through actual experience, regarding the extent of the detention problem as determined by the needs of the children and the existing resources of the community. The recent study of children's work in Westchester County, New York, which was undertaken partly with the object of ascertaining the provision needed for the temporary care of children pending juvenile court hearing, indicates the value of a careful survey in advance of deciding upon a detention program. The report emphasized the desirability of strengthening and fully utilizing existing resources and letting experience determine whether additional provision is necessary. A demonstration of trained probation service has recently been made by the State Bureau of Child Welfare in Albuquerque, New Mexico, a city of 15,000 population. There had been considerable sentiment in favor of providing a detention home but during the two and one-half months of this experiment it was necessary to find temporary care for only one child.

Methods of temporary care. Most cities of 100,000 population and over have made special provision for detention care, all but a few having provided a detention home under public auspices. Yet in many of these cities some children are detained in jails, either because the detention home is overcrowded or because it is believed that certain types of delinquents—usually older boys—can be safely handled only in jail. Moreover, many city detention homes fail to provide for the segregation of dif-

ferent classes of children, for adequate supervision, or for wholesome occupation.

The Children's Bureau has recently sent a brief questionnaire to each of the 220 cities in the United States having populations of between 25,000 and 100,000, excluding only cities served by courts in other localities. Replies have been received from 136 cities. Sixty of them are maintaining public detention homes, with capacities ranging from 4 to 60. Forty-four use boarding homes either as the sole method of temporary care (in two communities), or as the sole method aside from the jail (in two other communities), or in addition to care of other types. In 14 of these cities both a detention home and boarding homes are provided. Seventeen use receiving homes or shelters of private agencies, usually in addition to other methods. Other places of detention, including children's institutions, homes for the friendless, homes of probation officers, a room in the sheriff's residence, and occasionally the county almshouse, are utilized by 49 cities. In 95 cities children had been detained in police stations or jails during the year 1925, the number ranging from only one or two children, perhaps of doubtful age, to 146. In 16 of the 95 cities it is reported that no provision is made in the jail for separation of children from adults. The 67 cities stating the number of children detained in jails and police stations report a total of 1,525 children subjected to such an experience in 1925.

Information concerning methods of detention in rural counties has been obtained from state-wide agencies in 10 states, and the Wisconsin survey made in 1924 by the National Probation Association gives information concerning an eleventh state. The reports indicate that children are allowed to remain in their own homes whenever possible. In Indiana, for example, frequent hearings are said to make detention unnecessary in most cases. Many rural communities have no other facilities for temporary care than the jail. The occasional or more frequent use of boarding homes is reported for some of the rural counties of 5 of the 11 states—New York, Indiana, North Dakota, Georgia and Alabama—and in Virginia the State Department is using boarding homes extensively for the temporary care of delinquent wards. In at least two of the states detention homes in a few urban centers sometimes care for children from neighboring rural territory. Detention rooms in court houses and jails, or in the

sheriff's residence, have been provided in some instances. In Alabama, Georgia, Virginia, Indiana and New Mexico directors of state departments are encouraging the use of boarding homes in rural counties or have indicated their belief in the feasibility of this plan.

It thus appears that aside from jail detention the principal methods of temporary care used by juvenile courts are two, the detention home providing group care, and the family boarding home providing individual care. The former is suitable only for communities in which there will be at least a few children requiring detention at all times of the year. It may be possible under certain circumstances to establish a detention home which serves two or more courts, but the geographical area which a detention home can serve efficiently is limited by the fact that it must be easily accessible to all parts of the district. The boarding-home plan is especially adapted to the needs of small cities and rural districts, though it is being successfully developed in some large cities. Possibly experience will demonstrate that a combination of group care and boarding-home care is the best plan for the large city.

Other methods of detention include special detention rooms and private institutions. The city of Mecklenburg, North Carolina, for example, is reported to have adequate detention rooms, with a matron in charge, in a new building erected for the county health and welfare departments. The special detention-room plan is adapted only to communities where not more than two or three children are likely to need care at the same time. Such arrangements should be carefully worked out and if a private institution is utilized adequate compensation should be provided by the county. A matron should always be available, and should be on duty whenever children are detained. Under no circumstances should the almshouse be utilized for the detention of children.

Construction and administration of detention homes. The past year or two appears to have been a period of unusual interest in detention-home construction. Among the new homes which should be studied by communities contemplating building are those of Chicago, Little Rock, Ark., Richmond, Va., and Camden, N. J. Institutions in several other localities are under way or planned.

Some of the physical features of an adequate detention home,

in addition to fire protection and proper lighting and ventilation, are the following:

(1) Sufficient space to accommodate without crowding the number of children likely to require care at any one time.

(2) Arrangement of rooms so as to permit segregation according to sex, character, and physical condition. For older children, single rooms are greatly to be preferred to dormitories, and less night supervision is necessary when single rooms are provided.

(3) Security against escape. Bars should be avoided, as giving the home too much the appearance of a jail. Windows may be protected by iron screening, or may be constructed of iron frames with small panes of glass.

(4) Separate and ample bathing and toilet facilities for boys and girls, and for children suffering from infectious diseases.

(5) Conveniently arranged kitchen, dining rooms, recreation rooms, and school rooms.

(6) Outdoor play space.

The juvenile court itself should operate the detention home, or at least control its policies and the admission and release of children. Effective supervision of the children should be maintained. Adequate facilities should be provided for the study of the child's physical and mental health. Specialized school work, recreational facilities, and opportunity for the exercise of the child's religious duties are necessary. Among the homes which have worked out constructive programs for occupying the time of the children are those of Los Angeles, Chicago, Detroit, Newark, N. J., and Camden, N. J.

More important than the physical aspects or the daily routine of the detention home are the personalities of the superintendent and his or her assistants and their conception of the opportunities for service which are theirs. A community intending to build is wise if it selects its superintendent before beginning construction, and allows him to have a part in the planning of the building. It will then be more likely to be both planned and used as an instrument not merely for safekeeping but also for understanding and helping the children whom it shelters.

The boarding home plan. The boarding home plan of detention care was first developed in the central district of the city of Boston, where it has been in operation for 20 years. A similar plan has recently been developed in Minneapolis, where there is

no detention home of the ordinary type. St. Louis is using the plan extensively, about 30 per cent of the children provided for being delinquents. The city also maintains a detention home, which is now used only for delinquent children. Los Angeles, which has a large detention home, reports that boarding homes are being used to some extent.

It will be remembered that 44 of the 136 cities of from 25,000 to 100,000 population reported using boarding homes for temporary care. Nineteen of these used them for delinquent, dependent and neglected children, 6 for delinquent children only, 18 for dependent and neglected children only, and 1 did not report the types of children detained. Thirty-seven cared for both boys and girls in boarding homes, and 24 for both white and negro children. The number of homes in use ranged from 1 or 2 (in 12 communities) to 10 or 12 (in 2). Doubtless the cities with the largest number of boarding homes used some of them at times for other purposes than temporary care. Among the smaller cities in which the boarding home has been developed for temporary care of court children are Wilkes-Barre and Chambersburg, Pa., Madison and Kenosha, Wis., Charleston, S. C., Augusta and Columbus, Ga., Gadsden and Tuscaloosa, Ala. State departments in Massachusetts, Virginia and Alabama also use boarding homes for the temporary care of children committed by courts, the Massachusetts Department furnishing detention care in cases of children temporarily committed, pending the final disposition of their cases. Reference has already been made to the use of boarding homes in rural counties of some of the other states.

The boarding home plan has a greater chance of being successful if it is developed in coöperation with an agency or department which has already had experience in children's aid or child-placing work. The Boston Children's Aid Association, the United Charities of Wilkes-Barre (an organization with a broad program), the Children's Protective Society of Minneapolis, the St. Louis Board of Children's Guardians, the Charleston department of health and welfare, State departments that have engaged in child-placing, are among the agencies which, in coöperation with the courts, have been developing this type of service. If it is to be generally successful in rural communities and small cities it is probable that it must be worked out by courts in close coöperation with a state department that can assist in develop-

ing standards and in the actual selection of homes. The task is not a simple one, but requires experience and skill.

Financial arrangements sometimes include a monthly rate or subsidy paid to each home, which is the same regardless of the number of children cared for and which insures the home being on call at any time, and an additional per capita rate on the basis of the number of days' care actually given. Outfits of clothing, drugs, medical attention, and extras are usually supplied.

In selecting a boarding home the composition of the family and the personality of its members, especially the mother, are of primary importance. Certain homes are adapted to some types of children and not to others, and they must be used with discrimination. Ideally, not more than one or two children should be cared for in the same home at the same time, unless provision is to be made for a group of brothers and sisters. Unfortunately in some communities this standard has not been maintained.

Sometimes it has been found possible to send certain children to the public schools. The children are often given medical attention while in the home, and must be taken to and from clinics. They play indoor and outdoor games, read and sew, help with the housework, and are taken to the movies and to church and Sunday school. The agency supervising the homes must have a member of the staff who can keep in very close touch with them, be on call in all emergencies, and give the boarding mothers instruction, guidance and encouragement.

It is very important that there be complete understanding and coöperation between the agency supplying the boarding home service and the police department. Children arrested should be taken direct to the home or to the court or agency supplying the service, and not to the police station. In at least two communities the success of the plan has been seriously jeopardized by the fact that children are often held in the police stations several hours, or even days, before being placed in the homes.

The boarding home plan is relatively inexpensive, can be used by communities with very few children or with large numbers to be provided for, is extremely flexible, does not present the temptation offered by large detention homes to detain children unnecessarily, and permits classification of children and individual

treatment. Its chief advantage is thought by some to be its psychological effect upon the child. Whether it can be made a complete substitute for a detention home in a large city is probably still to be determined. Certainly it can render effective supplementary service. Outside the large cities it appears to be the most practicable plan for detention care that has yet been devised.

The pschological aspects of the detention problem. Little has been said or written regarding the psychological aspects of detention or the relation of detention to other parts of juvenile court-organization. An exception is a suggestive paper by Judge Cabot, given at the Twenty-fifth Anniversary celebration of the Chicago Juvenile Court. In the belief that the child-guidance clinics are in the best position to obtain information bearing on this question, the directors of a number of clinics, and a psychiatrist of nation-wide experience, were asked to state their opinions as to the psychological effects of care in detention homes. The letter of inquiry suggested six points to be considered, four as possible bad effects and two as possible good effects of detention home care.

Twelve replies have been received. Some of the clinics have been recently established and some of the directors state that their experience has yielded no definite information but that their replies are based mainly on their own opinions and general impressions. On the other hand, some give concrete cases as illustrative of certain points.

Six psychiatrists emphasize the possible bad effects of detention home care, while six are inclined to minimize the dangers, two however, stating that their opinions are based on conditions in communities where the administration of the court or the detention home is unusually good. Naturally the experience of the clinic is greatly affected by the quality of the local detention service.

The four possible bad effects mentioned may be briefly stated as follows:

(1) Creation of a "defense reaction", a spirit of antagonism to the whole juvenile court process.

(2) Development in certain children, especially members of gangs, of a spirit of bravado, the experience making the child more or less of a hero to his associates.

(3) Suffering due to fear, humiliation, and separation from parents, especially in the case of young children.

(4) Contamination from children with bad habits or a bad outlook on life, and exchange of delinquent experience.

Time does not permit analysis of the statements relating to each of these points. Regarding none is opinion unanimous. The fourth point (the danger of contamination) is the one which is given the greatest emphasis. Six psychiatrists believe it is serious, two that it is avoided in their communities through segregation and supervision, and a ninth that it is difficult to evaluate and is probably less prevalent in a well-regulated detention home than formerly.

The two points regarding probable good effects were:

(1) Opportunity for the child to "think over" his own conduct.

(2) Removal of children from family situations in which the parents are inclined to vent on the child their own feelings of anger or humiliation caused by the child's court experience.

Four replies state that the argument that detention gives an opportunity to "think over" his conduct is "ridiculous", or "grossly exaggerated" or "can be completely eliminated", or that the children are rarely capable of comprehending situations unaided. Three indicate that in a few instances detention is advantageous for this reason, and two unqualifiedly assert that it is an advantage, one emphasizing the additional value which results from the child's taking his court experience more seriously than when temporary care of some other type is provided. With reference to the second possible advantage—removal of the child from difficult family situations—four of the five who state that temporary care is sometimes desirable for this reason add that the problem can be more adequately met through boarding homes. Several of the replies emphasize particularly the opportunity that a properly conducted detention home may give for observation and careful study of the child, believing this to be its chief function.

The inquiry has brought out the present lack of unanimity of opinion on the part of those who are having an opportunity for scientific observation of the results of detention home care, and the need for accumulation of data regarding this and other methods of temporary care. Child guidance clinics are studying the successes and the failures of the home and the school as they

affect the development of the child's personality. Is it not time for the juvenile court itself and all the phases of the juvenile court process to be included in such a study?

In the meantime, ordinary common sense tells us that the problem of temporary care, like the problem of probation and of institutional care, is fundamentally a question of bringing the child who needs it—and only such a child—in contact, under favorable conditions, with wise and understanding men and women whose concern it will be to discover his individual difficulties and capacities and to help him to better self-understanding and social adjustment. Such provision will become general only when the public understands its needs and its value.

"THE GOOD WORKMAN"

Rev. McIlyar Hamilton Lichliter, *First Congregational Church, Columbus*

I had a speech all prepared to give to this audience, but I was told to forget it and to bring instead a little message that I have given to social workers before. This message is out of the life of one of my heroes.

It was June of 1922 that this man was speaking to the National Association of Scientific Workers in Great Britain. The University Hall was crowded and for an hour and a half he made a plea for a revolutionary idea of education. At the end of his address, the Chairman, Mr. H. G. Wells, asked if the speaker would care to answer any questions. "You are not too tired, are you?"

The speaker answered, "Oh, not at all."

To give the speaker a chance to catch his breath Mr. Wells made a few comments on the speech and while he was doing that he heard a little gurgling sound behind him. When he turned to see what it was he found the speaker flat on his back panting for breath. In less than two minutes he was dead, at the moment of the fullest expression of his life, dead in the very hour when he had opened his heart to the educational leaders of the British Empire and had made his plea for a revolutionary conception of the school.

That man was Sanderson of Oundle, a public school in Northamptonshire, where for over 30 years he had wrought at his

task and forced the intellectual world of Britain to face the possibility of a new type of education. It was just an old fashioned school when he went there, a typical conventional English public school where they got the boys ready for Oxford and Cambridge. The kind of mathematics, for example, taught there was hopeless and conventional, the very sort that was celebrated two or three years ago in a great congress of mathematicians held at Oxford. At the end of the banquet the head of one of the departments at Oxford was asked to give a toast. He was brief, he raised his glass and said, "Gentlemen, here is to pure mathematics and may they never be any damn good to anybody."

That was the kind of mathematics taught at Oundle. That was the kind of Latin and history; most everything that was taught there was of a conventional sort. After seven years of experimentation Sanderson launched a new scheme of education, but I am not going to discuss its technical phases. Suffice it to say that here is a new technique in education that the teachers may share with us. But I should do what Mark Sullivan tells us a very wise and diplomatic Chicago policeman did when there was a dead horse found on Kosciusko Avenue. The captain told him to sit down and write out the report.

He attempted to do so and said, "Say, Cap, how do you spell Kosciusko?"

The Captain was a diplomat and said, "You shouldn't ask the question. Don't you see the name of the street every time you walk the beat?"

The patrolman tried to do it again and then he got up and was going to the door when the Captain said, "What are you going to do, did you write the report?"

He said, "No, but I'm going out to move that horse into Clark Street."

That is just exactly what I want to do in the few minutes allowed me. I want to drag the horse around to Clark Street, take a rather intricate theory of education and reduce it to such personal terms that it may be an inspiration to those of us who have to deal with human material, whether we be teachers, or ministers or social workers.

One day Sanderson was walking in the library and saw one of his boys busy with a textbook on engineering. He stopped and touched the lad on the shoulder and said, "My boy, you

are not giving your best in this school." The lad said, "Why sir, I am at the top of my form." Or as we would say, "I am at the head of my class."

Sanderson said, "I understand that, but you are really not doing your best even though you are at the top of your class."

When I read that little incident it occurred to me that he was hitting at a fundamental principle that might help us who have to deal with human material. It isn't one's comparative best that matters. That was the old theory. In the old days the school class had a grading of first, second and so on down the list. The brightest boy would stand at the head of his class and so on until you would come to the boy at the bottom. Sanderson wiped out all of that sort of thing from his school and taught this principle,—that it isn't a man's comparative best that matters, but only his ultimate best.

Let me just put that in a personal way. There are 6,000 Congregational ministers in the United States of America, of whom 5,999 may preach better sermons than I. I acknowledge that, but the whole 5,999 cannot preach *my* sermon. Not even the headliners in Congregationalism can do that. What a fool I would be if, Sunday after Sunday when I get up in that historic church at Columbus, I should feel myself in competition with these men or with my great predecessor, Washington Gladden! What I am supposed to do is to preach a better sermon next Sunday than I preached last Sunday and that is all. I have to if I don't want the Deacons to hold a meeting and come around with the suggestion that they think I would be better off, and my wife's health would be improved if I moved to another climate.

In other words, I am pitting myself solely against myself. So it is in the field of social work. There is absolutely no rivalry in that field. No one on earth can do the work that you are doing, not a single soul. No one can bring the impact of your personality upon your particular problem except yourself.

Should there be any place for jealousy? There isn't in the mind that understands that we have no competitor in the world but ourselves. Sometimes I feel that we should take that principle and live up to it in the nth degree and make it the secret of the new statesmanship.

What is it that makes class prejudice? What is it that makes race prejudice? The thing that brings on race prejudice is the fact that the negro enters into competition, industrially, and

socially, with the white man and forgets that his supreme business is to develop his own racial genius and compete with himself, making the most of it and in that way keep his mind off the other man. Whenever you have race competition or class competition or national competition, you have the seed for all sorts of misunderstandings that may lead ultimately to serious conflict, if not to war.

There is a poem of which I am very fond. It analyzes the spiritual basis of this matter of classes and nations. A number of years ago a little Russian Jew came over in the steerage, landed in the Ghetto of New York, and grew up in the public schools. He graduated with honors from high school, went to Columbia University and then got his Doctor of Philosophy degree. He is now professor of English in one of the great colleges. He has written a number of volumes of criticisms and also a slender book of poems. One of these poems is called "I Am an American" and emphasizes this principle for which I am pleading as the inspirational basis for our personal attitude toward our own work. There are two characters in the poem, one a native born American and the other a Russian Jew.

The New Englander speaks:

" 'I am an American.
My father belongs to the Sons of the Revolution,
My mother to the Colonial Dames.
One of my ancestors pitched tea overboard in Boston harbor,
Another stood his ground with Warren,
Another hungered with Washington at Valley Forge.
My ancestors were America in the making;
They cleared her forests,
They spoke in her council halls,
They died on her battleships.
Dawns reddened and paled,
Staunch hearts of mine beat fast at each new star in the nation's flag;
Keen eyes of mine foresaw her greater glory—
The sweep of her seas,
The plenty of her plains,
The man-hives of her billion-wired cities.
Every drop of blood in me holds a heritage of patriotism.
I am proud of my Past—
I am an American!' "

The Russian Jew speaks:

" 'I am an American!
My father was an atom of dust,
My mother a straw in the wind

To His Serene Majesty.
One of my ancestors died in the mines of Siberia,
Another was crippled for life by twenty blows of the knout,
Another was killed, defending his home during the massacres.
The history of my ancestors is a trail of blood
Leading to the palace gates of the Great White Czar.
But then the dream came—
The dream of America.
In the light of the Liberty Torch
The atom of dust became a man,
And the straw in the wind became a woman,
For the first time.
'See', said my father, pointing to the flag that fluttered near,
'That flag of stars and stripes is yours.
It is the emblem of the Promised Land.
It means, my son, the hope of all humanity.
Live for it—die for it.'
Under the open sky of my new country
I swore to do so
And every drop of blood in me
Will keep that vow.
I am proud of my Future.
I am an American.' ''

It is for this principle, each developing according to his own individual genius of race or nation or class, that I plead. There is enough room for us all without the friction of the competitive element. There is no place for rivalry, no place for jealousy. My only competitor is myself. Our social work would be sweeter and cleaner and more inspiring if we lived upon the basis of that principle.

Sanderson took one step further. He had been studying the labor movement in England for a long time and he discovered that all the laws England had passed on behalf of labor were laws looking toward the shortening of hours of work and the increase of wages. He noticed that as a man's working day was shortened and his wages increased, at the same time he was being given a larger amount of leisure for which he had had no training. He found that the working men of England were not better off but worse off because of the larger amount of leisure that they didn't know how to use. They were not prepared to spend their leisure hours in constructive growth. While they were at work they were thinking of the relaxation that was to come to them at the end of the day. And he said, "England will never be saved from industrial struggle until the boys of Eng-

land, rich and poor alike, are taught how to work and how to find in their day's work the richest compensations that life can bring."

He wanted to teach them how to keep their eyes upon their work and feel a pride in it. Is that not equally necessary for this country? I am thinking, for example, of the brick mason. I asked a brick mason how many bricks he could lay in a day. He said he presumed that if he were in good health and all conditions are all right that he could put down 2,000. I asked him how many he did lay. He told me that that depended on the union restrictions on his work. He put down from 500 to 800 a day, depending upon the circumstances. He was not giving his best by any means. He was giving a restricted output. He was thinking in terms of the good times that he intended to have when the day's work was over. Our country is full of people who work in that way with their eyes upon the clock, thinking that their leisure hours bring to them life's richest and finest joy.

I find that if the thing I do doesn't offer me the fullest kind of self-expression, so that there is a real joy in doing it, then there is something radically wrong with my intellectual and spiritual outlook towards life.

We must do the thing we are set to do with a certain degree of joy, finding a happiness in the thing that we do every day, so that when the hours for relaxation come we can turn to our play with a certain, clear conscience.

Personally, that is my conception of the soul of religion. The worst hypocrisy in the whole world is that which goes to prayer against the background of a neglected task. To do one's work well and find in that work highest joy; to understand that there can be no competition anywhere save with one's self, is, it seems to me, possessing the most enriching facts of life.

The old Jews were our masters in this matter. They taught us the lesson although we have been slow to learn it. Think of the old days when the Jews wrought a piece of work. No matter what the piece of work, they would take it, figuratively, and hold it up to Jehovah with this prayer, ". . . and let the beauty of Jehovah our God be upon us and establish Thou the work of our hands upon us. Yea, the work of our hands establish Thou it."

A man must put a certain degree of conscience, insight, and intellectual power into his day's work in order to make it a

sacrament. If ever you get a little discouraged with the routine and conflict go to your shelf and take down a book of George Eliot's poems and read "Stradivarius". In it is summed up all the principles I have here tried to stress.

The violin maker of Cremona is refusing an urgent invitation to a feast and, pleading the dignity of his work, says,

" 'The masters only know whose work is good.
While God gives them skill, I give them instruments to play upon,
God choosing me to help Him.' "

They laugh him to scorn, bringing up the argument of competition

" 'What, were God at fault for violins, thou absent?
Many hold Guisseppe's work as good as thine.' "

Hear the noble answer of Stradivarius:

" 'May be— They're different. He spoils his hand with overdrinking,
But, were his the best, he could not work for two.
My work is mine— and, heresy or not, if my hand slacketh
I should rob God, since He is fullest good,
Leaving a blank instead of violins.
I say, not God Himself can make man's best
Without best men to help Him.
He could not make Antonio Stradivari's violins
Without Antonio.' "

CASE DISCUSSIONS

ANALYSIS OF TWO CASES OF ATTEMPTED SUICIDE

MRS. ELEANOR R. WEMBRIDGE, *Women's Protective Association, Cleveland*

When asked to present this study my main difficulty lay in selecting a case. I wanted one that didn't sound so perfectly managed as to be unbelievable, and yet I hesitated to present a total and complete failure. I wanted a type of case that would not be so unusual that no one would have anything like it, and yet one that would not be commonplace.

I recall two rather shocking cases of youthful suicide occurring in my college days, which, as I look back, I feel might have been avoided had the proper attention been given them. Perhaps because of that experience, which interested me, I have picked out two cases of suicide, though, fortunately, the lives of the girls were preserved. The analysis will have to be very much curtailed, of course, but the main point I want to make is

that although people may do the same thing, their reasons may be entirely different. The cases may seem to be alike, even to taking the same brand of poison, but the causative factors may be totally unlike arising from a different set of facts and different emergencies, and the possible future chances of success of the two may differ.

One of the two cases chosen for this study was turned over to us from the Woman's Police Bureau and had been turned over to them from one of the hospitals. She was a young school girl who had attempted suicide by swallowing poison. Her father was a Scotch workman. Her own mother was dead and she was living with her stepmother and her own brother and sister. She was doing well in school. The teachers knew her as a quiet, well-behaved girl of whom they had never had a complaint. There was no delinquency record. The stepmother said she had no idea why the girl did it, but thought she probably took it by mistake. Another supposition was that she knew the family was rather fond of medicines and that they were accustomed to experimenting with samples of one kind or another and that probably she had been experimenting. In other words the stepmother declined to admit that there could have been suicidal intent. The father did not care to discuss the matter at all.

Kate came to our clinic very willingly. She was a nice looking girl, well developed, healthy in appearance. The medical examination at the hospital showed nothing the matter with her except for a slight condition which had been induced by the poison she had taken. Her mental examination showed her slightly above the average for a girl of 15. Her I.Q. was 105. She was not brilliant, yet she was bright according to the standards that we use, which are rather modest.

Kate was far more noticeable emotionally than mentally. She was extremely shy, and apparently had something on her mind. In spite of her intense shyness and a difficulty of articulation, which made it almost impossible for her to get a word out, she seemed intensely anxious to talk.

The problem was to get her started. We tried random topics of conversation to see what subject might strike her as interesting or important. We wanted to find out if there were any topic that we could talk about that would seem to hit the sensitive spot in Kate's emotional life. We talked of school. That was a dead issue, of no interest to her. She was doing well in

her studies. There plainly was little normal affection in her home life. There was something emotional about it but there was complete indifference to her stepmother. One felt at once that she was probably 20 or 30 points higher than her stepmother in intelligence. There was considerable emotional interest in the fate of her own mother. Her own mother had been bedridden for some years after the birth of her first child. In fact, her three later children were born while she was more or less bedridden and she had been a total invalid since the period before Kate's birth. After the birth of the youngest child her mother had died. That evidently interested Kate to some extent, although she said very little.

Finally, in speaking directly on the subject of death I asked her if she was interested in death. I wondered if that was why she was experimenting with it. We were apparently getting "warm" (as we used to say in childish games). She said that she was intensely interested in the question of death, that she thought about it a great deal. It seems that some weeks before, a man had been pinned under a coping stone that had fallen in the construction of a building. She had seen him pinned down by the stone and had watched him until he had died. That interval had been spent by her in wondering, "how it feels to die". She had tried imaginatively to go through the process of death with this victim.

I told her I thought that death was a perfectly normal philosophic problem, that all thoughtful people must meditate on the subject of death at one time or another, and asked her if she would be interested in talking it over, or in talking about life after death. She said she would very much like to do so. I can hardly express the intense shyness with which she said it, or how difficult it was for her. She would hold her head down and yet want to talk about it so much that the words once started would come tumbling out. She told us how, by herself, she would sometimes take the carving knife and hold it up to her neck to see exactly how far the edge of that could go into her flesh without cutting a vein, and then she would think, "Now, if I put it a little bit further, it will cut a vein and I will be dead, and what would that feel like?"

I asked her if she could think of all the questions she wanted answered right away, and she said that she couldn't, that she had some questions that she would want to ask and would be

glad to make a list of them. She said she would like to take a week to prepare her list and when that was finished she would bring it back, when we could discuss the questions with her.

I told her that perhaps questions of life interested her, too, and that if she had any questions about beginnings of life she should put them down, too. I said that if life after death interested her, she might also be interested to know where we come from before we are born, which got such a very strong emotional reaction that it was very obvious she had wanted to say that, but that she was too shy.

In a week she came back with her list of questions. The interesting fact about this list was that the subject of death wasn't even mentioned. She had completely forgotten her interest in death, which was obviously a defense against a profound sex curiosity which she had never satisfied and was too shy to get from the ordinary sources of her friends. She was too shy to get it from books and had asked her stepmother with no success. Her stepmother told me, which conformed with her statement, that she did muster up courage once to ask some questions, but that she was told she was not old enough, or some obviously trivial answer, which of course, had shut her up.

The questions related to perfectly obvious physiological matters of prenatal development, the development of the embryo and many questions relative to health, in which it was obvious that her mother's fate, and her mother's illness after the birth of her children had made a great impression upon her. It was also obvious that she thought in order to escape from a home where she didn't get sympathy from either her father or her stepmother, she would have to get married, and she thought that presumably she would be bedridden her entire life, as her mother had been. That had caused her a great deal of distress and she saw no way of escape other than that.

In this situation we have, therefore, a young girl completely misled as to what she was interested in. She was perfectly honest in thinking that she was preoccupied with death, and immortality, I think. As soon as she was able to express what she really was interested in her future took about the same relative place that it does with most people and she entirely forgot that she ever was going to die or had ever thought of it.

Now let us contrast this young girl with another one of about the same age, just 15. She came from an entirely different

background. Both her parents were Bohemian. Her father was a heavy drinker who, when intoxicated, had driven her mother over a high bridge and killed her, but had himself escaped and was now living with another woman to whom he was not married. Celia had gone from one relative to another, all of them blaming her father, naturally, for his treatment of her mother so that she had entire contempt for him. He refused to pay her board so that she lived on her relatives only as long as they would house her. There was continual complaint over the fact that her father didn't pay her board.

From 11 to 15 she had been running the streets wild. Curiously enough, although her main interest in life was her popularity with the boys that she picked up, her sex interest did not seem very deep. By this I mean that she had led a technically chaste life, although she had no recreation whatever, save what she picked up from passing motorists. It had come to be a matter of pride with her that she never put foot into a street car, that she went to work in an automobile and came from work in another automobile. She never paid carfare and always rode in good cars. She had "pick-ups" down to a science. Whereas Kate was morbidly curious about matters of which she knew nothing, there was nothing in the world about sex that Celia did not know. She had been with the type of person whose sole subject of conversation and sole idea of social eminence was sex exploits of one kind or another. It was her common conversation and her great boast was that she could always get rid of one escort if he got fresh and find another one. She was extremely strong, healthy and muscular and could always dispose of one person and find another. Now, of course, such a social situation is a very undesirable one.

Celia was very friendly. She was very glad to take an examination and registered a mental age of 15 years, four months, which gave her an I.Q. of 95, again very good for our type of girl. She was extremely reasonable in the way she talked of her future. She said, "I never will get anywhere much if I work and no smart fellow will ever marry me. I must have a good time and the only way to get it is to pick up people on the street."

The only way we appealed to Celia was to impress upon her that she had a very good intelligence if she would use it, a compliment which pleased her very much and would make quite a dent for at least two or three days. We also assured her that

she did not have to be so indiscriminating about the boys she went with, that she was probably better than nine-tenths of those with whom she picked up rides and that she didn't have to stoop to such lengths, which also pleased her very much.

But the struggle to get over her habits of a wild street life and conform to any eight hour day employment and pay the money for carfare was really a fearful one for that girl. Celia's attempt to change her manner of life was, I think, honest as long as it lasted, but her habits had had four years to grow. When she had been with us for part of one year she left us to start a new life in Pittsburgh. There she intended to go for employment, to pay her own carfare, work from eight until five, and, as she told me, live with some relative, have a room to herself with white curtains in the windows and be a regular person.

We heard very soon from a hospital that she had taken bichloride and was with difficulty brought back to life. She took it, they said, in discouragement. It was too hard work for her to live up to the standards which we outlined for her.

Here are two healthy, well grown, normally intelligent girls who commit the same act. One did it because of repressed curiosity on matters of which she knew nothing, and yet which she saw were inevitable (she would either have to stay where she was or marry and get away, and each one seemed intolerable from what she knew about it). The other one had no sex curiosity whatever, but pronounced social habits of what I would call "sex notoriety". It was a matter of the greatest pride to Celia to be called away from the table about a half dozen times by the phone and have some one say, "Celia, John wants you." That and her "pick-ups" formed the only social notoriety she had, and it was meat and drink to her. To ask her to cut out those 'phone calls from nobody in particular (she wouldn't have known who they were except that they picked her up coming home and she asked them to 'phone) and revise her entire social life was fearfully hard—an intense nervous strain.

Celia was more obviously the sex delinquent but sex problems were not the basis of her suicidal attempt, whereas I think they were in Kate's case, although she was not a sex delinquent at all. With Celia it was social eminence and she knew no other way to satisfy it. She saw no prospect of doing what she knew girls could do save by being noticeable. She thought that there was nothing else for her to do to make a hit save to make the hit with the boys. The fact that she felt incompetent in other

lines was such a sudden and complete discouragement that it led to a suicidal attempt.

Many would say that people don't really do these things. My experience has been that young people in emotional discouragement, or conflict, whether domestic or otherwise, are likely to do almost anything. To foresee it, there is no royal road. Each case must be handled individually and with utmost completeness of study and analysis.

BARBARA

MILLIE J. BRISTOL, *Probation Officer, Monroe County Children's Court, Rochester, N. Y.*

Complaint:

Barbara, fifteen years old and within a very few days of her sixteenth birthday, was brought into Children's Court upon a complaint filed by her mother, charging ungovernableness.

History:

The mother, a well dressed, attractive woman with a decided Hungarian accent betraying her foreign birth, had exhausted her patience with Barbara, an untidy, overgrown, awkard girl, for whom she appeared to have little affection. The mother complained that the girl was disobedient and quarrelsome with all members of the family, while the others, three sisters and a brother, were all, to her, apparently lovely. Two years previous, when the mother desired Barbara's removal from the home, she had tried placements in four different working homes, without success as Barbara was suspected of thefts and also so addicted to indolent and slovenly ways together with persistent staying out too late evenings as to prove very unsatisfactory.

Upon returning to her home a month previous to being brought to the detention house Barbara was blamed for many home quarrels and made to feel that she was loved by no one. She told the investigator how very unhappy she was and appeared listless and much discouraged. From the time she was nine years old her mother had allowed her to sleep with her brother, five years her senior, and upon her return home from placements she was given a cot in his room while a younger sister was now sleeping with him.

The mother claimed that Barbara was too trying in her dirty personal habits to share a room with her more fastidious sisters. When the investigator told the mother that these sleeping con-

ditions must be changed the problem of dirt seemed to disturb her much more than the moral question. (This brother was later brought before the judge and charged with incest, pleaded guilty, held for the grand jury, indicted, but disappeared before trial.) The home was clean and materially good; the family bore a good reputation in the neighborhood.

Barbara was in the first year in High School but because of many changes in her working homes she was somewhat handicapped; after one of these changes she was demoted. The psychologist's report showed Barbara, at 15 years and 11 months, to have a mental age of 12 years and 7 months, the tests indicating that she was slightly retarded. She was reported to have a feeling of inferiority in practically every respect, showed no interest in any kind of work, lacked affection for her family, very resentful in her attitude toward them. It was recommended that she be tried out in a changed environment outside the home, under probation.

Treatment:

The judge committed Barbara to a probation officer, with the understanding that she remain in the detention house until placed in a private home, the father being ordered to pay two dollars per week for her benefit. With such an inadequate amount of money to care for a girl in high school, it was essential that she be placed in a working home, and for over three months the probation officer tried in vain to find just the right employer; but in each case considered, some condition proved unsuitable or unsatisfactory. However, during these long weeks, Barbara proved most valuable to the nurse in the detention house clinic. It was found that she liked to bathe, dress and feed babies and a daily routine was accomplished willingly and happily. During a scarlet fever epidemic, she proved very dependable, and fearless, the trust placed in her finding a real response.

There was a tremendous change in her general attitude, her personal habits as to cleanliness and amenability to discipline. The thought presented itself, why not make it possible for her to take a course in training for a vocation which so appealed to her, that of nursing. Her age was a handicap but when the probation officer learned of a training class at a nursery in a town not far distant, where young girls were trained to be children's nurses, it was decided to encourage Barbara's enthusiasm over the idea, and to secure, if possible, her entry in the next class. The superintendent of the nursery was visited, and the impres-

sion made by Barbara, coupled with the report of her good work at the detention house, paved the way for her acceptance and arrangements were made for her to enter the following fall, the court cheerfully granting its permission to place the girl out of town.

Owing to an unforeseen vacancy in the spring class, Barbara was not obliged to wait until fall and went to the nursery on very short notice. She lacked even the most ordinary personal belongings but the Big Sister Council equipped her with a small suit case containing two complete sets of clothing, wash-cloths, with soap, comb, etc. Some of her father's weekly dollars which had been carefully saved, bought a coat, the first real new one the girl ever owned, and some other necessities, with which she saw herself going to the nursery on an equal footing, in appearance, with her classmates. The clinic nurse, who had been Barbara's inspiration and for whom she had worked so faithfully, went with her to gratify Barbara's desire that she see her in her new environment.

During the following eight months the probation officer visited Barbara frequently and kept in constant touch with her through letters. The superintendent of the nursery spoke well regarding her progress. It had often been hard for her to give up certain recreations indulged in by her associates, including movies, due to lack of money, for out of the $15 per month paid to each girl while in training, there were many demands, and the father's two dollars a week was being saved for a winter coat.

The greatest test came, however, when the superintendent, on account of illness, had to leave and the girl failed to adjust herself to the new one. The probation officer learned that the new superintendent was having trouble with the entire class, partially due to Barbara's leadership. No fault of either the girl's work or conduct had ever before been found. Letters were immediately written, first to the superintendent expressing regret that it had been necessary to have a complaint made against Barbara, and then to the girl herself, not volunteering any advice, but expressing the keen hurt felt by her probation officer over the news, and trying to make clear to her how necessary it was to obey all rules from superior officers, that this might prove a vital turning point with her and that it was clearly up to her to decide just what the outcome should be. Shortly after this the superintendent replied that Barbara had apologized to her for her disloyalty and pledged herself willing to stand by her.

Barbara wrote immediately that she was worried over her seeming lack of appreciation of all that the probation officer had done for her. She expressed gratitude for the interest and trust placed in her and told of talking the whole situation over with the superintendent, assuring the probation officer that she would not again fail to live up to the faith placed in her.

The mother is apparently beginning to appreciate Barbara. She has asked her to come home for a two weeks' rest after she completes her course before assuming a position. During a recent vacation, while the girl was staying with the probation officer, she was invited to come to the home for over Sunday. She went and said the family were all very nice to her, driving with her to the train when she left.

Within a month Barbara will receive her diploma. Already she has two positions under consideration but the physician in charge of the nursery does not want her to make any final decision just now. She is planning to work and save enough to enable her to enter a hospital for general training later on. How firmly her training has fixed her purpose and given to her an adequate power of self-control when free from the steadying influence of restraining discipline, remains for her future to disclose. But with her present attitude maintained, she gives promise of a self-sustaining, useful life.

The outstanding factor in this girl's success seems to have been the discovery of that activity which particularly appealed to her and for which she was naturally adapted.

THE CASE OF MILDRED D.

ALICE C. LLOYD, *Probation Officer, Juvenile Court, Detroit*

The challenge in probation work, it seems to me, comes from the fact that our laboratory material is not test tubes and guinea pigs, but human beings. With the authority of a court behind us we have a terrifying power to interfere in the lives of other people. We must therefore be sure that the interference is for good. As we are sometimes too near our own cases to be certain of this, I am presenting a case with which I myself had no connection.

The case stresses the value of coöperation with an institution. (The institution referred to is the state industrial school at Adrian, Michigan, now known as "The Girls' Training

School.'') It also points out the necessity for a change of attitude on the part of a probationer before probation work is possible, and the value of family case work.

The complaint, a truancy charge, came from the Board of Education. It was filed in April, 1921, in the juvenile court and alleged that Mildred, a fifteen-year-old girl, was a habitual truant from the High School of Commerce. The report said that Mildred was a bright girl, fond of good times, and that, due to her environment, she had no opportunity for legitimate pleasure, for her home consisted of one room on the third floor of an apartment house, where she lived with her parents who were deaf mutes. So Mildred sought amusement outside her home. The mother, anxious to guard the girl and give her a good education, reported that Mildred would not obey her and remained away from school without her consent. She also claimed that Mildred would stay out as late as two o'clock in the morning.

The investigation which was made before the matter was brought into the court revealed some very interesting facts. Mildred herself was a good-looking, tall, neat, bright-appearing girl, and apparently perfectly normal. Her father was small and insignificant looking. He made efforts to talk, which were very painful to listen to. His unattractive appearance and his physical disability were handicaps in securing work. Her mother was larger than her father and much better looking. She made no effort to talk and communicated by writing things down on a piece of paper or using the sign language. The economic situation at the time of this investigation seemed far more serious than it proved to be later on. The only person working was the mother. The family were living in the third floor of a rooming house in a very poor neighborhood of rather low grade rooming houses. They were crowded; the rooms were untidy, and distressing in atmosphere. The whole family slept in one room.

The family history showed that both parents had been deaf mutes from birth. They had come from quite high grade families and had been sent to the school for the deaf mutes where they had met and were married. Two years before the present situation they came to Detroit and made a poor social adjustment to the city life, evidenced both by Mildred and the parents. Mildred's physical condition was also poor due to a bad throat. She had inflamed tonsils, which gave her the necessary excuse

for not appearing in school. A talk with Mildred revealed that she was discouraged with the situation at home, and at school, a change in the shorthand method having disturbed her. Mildred was obviously superior to the parents, who realized their inability to provide a normal background for her or to control her.

Owing to the fact that the family moved without letting the court know where they were going, it was two months from the time the complaint was filed before the matter was brought into court. The economic situation then appeared so acute that it seemed best for Mildred to work instead of going back to school. It was therefore arranged for her to secure a working permit and go to continuation school. The probation officers also decided to find work for the father, a difficult task to accomplish as at that time there was serious unemployment in Detroit.

Then, at once, it was evident that the family must be educated to provide better home surroundings. Here the probation worker found very serious difficulties that were not revealed in the first investigation. The parents had begged for assistance but they showed themselves entirely under the girl's control. They shielded Mildred from the probation officer, even to upholding her in falsehood. It was in Mildred's inability to tell the truth that the real trouble lay. It soon became apparent also that the problem was not a mere matter of school adjustment and better home surroundings. A habit of deceit, a characteristic often occurring where a child is superior in education or condition to the parents, had grown to uncontrollable proportions. It was easy for Mildred to control her own destiny. It was easy to deceive her parents and she had done it since she was a little child. The psychopathic clinic reported that her's was a condition particularly common to the children of deaf mutes and similar to the cases of children who have become fully Americanized but whose parents have not.

The officer tried by infinite patience and many interviews to impress Mildred with the pity of deceiving her afflicted parents, but the habit of years proved too strong and Mildred's natural craving for pleasure, which she could not satisfy at home, led to a passion for new clothes which she stole, for roller skating, and for jewelry. While on probation she purchased a diamond ring on the part payment plan, paid $2 for it and was allowed to take it away. After several months, having

made no further payments, the jeweler finally found her and took back the ring. Two weeks later she went to another jewelry store, purchased a second diamond ring for a down payment of $2. She was willing to go to great lengths to obtain the things that she wanted. Stealing went hand in hand with lying in her case. There was also lack of judgment in choosing her companions. She had fallen into very bad company, and had become a serious sex delinquent. Her bad habits had evidently gone on too long to break so after a year and a half of probation, with very discouraging results, Mildred was sent to the industrial school for one year. A great many things happened after that. The credit for the change belongs in large measure to the school, though without doubt, the repeated words of the probation officer bore fruit during this year.

However, the real triumph for probation came in the work done with the parents while Mildred was away at school. Their attitude when Mildred was committed was rebellious and showed a total failure to understand where they had failed. They showed what at first seemed utter misunderstanding as far as the probationer's instructions were concerned. But, as time went on, it was found that they were actually unable to understand or to remember. The officer who had charge of Mildred continued to call on the parents. She told them what Mildred was doing and what was being done for her and repeatedly told them if they wanted her back that they must create a home for her to return to.

It was learned that they had furniture stored in Saginaw and that they had an income from some property there. Months before Mildred was ready to be released the probation officer called on the parents and told them that Mildred could not be returned to them until they had made a home for her. They fulfilled their part so that at the time of Mildred's release a year after her commitment, a home was ready for her—a house of their own instead of a room in a fourth rate boarding house.

From then on the year of probation was too successful to be interesting. Mildred secured an excellent job as a stenographer. She kept this job until she found a better one and then made the change herself. She found the truth much easier to tell, though it cannot be said that she had entirely gotten over her ideas of deceit. However, she was guilty of no larceny and did not stay out late at night. She brought her friends home for her parents to meet. She joined a good recreation club of

her own accord and her attitude toward her parents was more thoughtful and protective. She had been brought to a realization of her responsibility to herself and her parents, which certainly is one of the objects of all good probation work. One of Mildred's letters from the institution shows this change in her attitude. This letter was written to her probation officer and I quote parts of it.

"I suppose you will be surprised to hear from me because I have not written to you since I came here, although I have thought of you often. I have been taking commercial science and feel it has been a wonderful opportunity for me here. You know how I love stenographic work. My commercial teacher, Miss —— is going to start me in on a secretarial course beginning this week or next and I shall be in the height of my glory then because I have always wanted to take that up.

"I have had sewing for almost eight months, but I was taken out last week and now I am working for myself. . . . I think I am going to find things very interesting although I have not had very much to do so far except to help with the reports and do a little filing. [Mildred was put into the office there.] Also I have been answering and making telephone calls and doing errands. This week I am going to start typewriting the notes for the campus paper of which I suppose you have had copies.

"I belong to the literary club and find it very helpful. There are seven girls in the club. They are getting up material for a big pageant. . . . I know we will make a big success of it. It will be given on the Girl Scouts' field some time around the latter part of October.

"I also belong to the Girl Scouts . . . I almost forgot, I am a little bit peeved at you for not seeing me when you were here, for I heard that you were here. Just think of it, I have been here for over nine months and have only lost one star and that was the second week that I was here."

As I have already said, the case shows the value of coöperation with an institution, for it was really the institution that brought about the reform in this case and made successful probation possible.

PROBATION WITH COLORED CASES

CLARENCE E. DAVIS, *Assistant Probation Officer, Court of Common Pleas, Cleveland, Ohio*

The social order in America is such that it is necessary, in probation cases, to classify them by race. Every colored case, for example, presents a problem which does not exist in a white case, for every colored person must constantly combat race prejudice. In order to meet the problems of colored people,

a probation officer should take inventory of himself and be sure that he is free from racial prejudice of any kind. It might be well to say that all colored cases should be supervised by a trained colored officer even though they are handled by a white investigator. This is advisable because a colored probation officer is a victim of race prejudice and, having had a problem of his own to solve, his experience would be invaluable in aiding another to meet the same situation.

The probation officer should know that it is difficult to secure proper housing conditions for colored people although they are forced to pay exorbitant rents; that in industry they are compelled to work for lower wages than white men; that many trade unions will not accept them as members; that a colored district is usually neglected by the city officials in the matter of providing recreation facilities; that vice and gambling and other immoral conditions which would not be tolerated in other sections are often permitted to flourish in a colored district, though patronized by white as well as colored people. The white Y. M. C. A. does not welcome the colored man, the Salvation Army has no accommodations for him, and the white churches do not welcome him.

The probation officer should also know something of conditions in the south whence the probationer recently migrated. He should know of the tenant family system whereby entire colored families are compelled to labor on a farm for a share of the crops and purchase supplies from the white landlord who keeps them constantly in debt; that the right of suffrage is denied them and educational facilities are very poor.

The colored people have migrated to northern cities in large numbers during the past decade. It must be the task of the north to assist them in their difficult adjustment. Supervising officers cannot do justice to individual cases when they are required to subordinate supervision to investigation. It is evident that if investigation is given the primary consideration, the supervision will suffer, although thorough investigation before probation is certainly important, as the following case will show:

June 4, 1924. G. L. C., age 21, single, colored, pleaded guilty to auto stealing. Referred to Probation Department for investigation. Investigation disclosed the following:

Born in Atlanta, Ga., 4–10–03, only child in family; father a laborer, mother a laundress; parents separated when he was an infant and mother

was compelled to work to support him. He attended public school in Atlanta until he reached the 5th grade. Came to Cleveland in 1917 (age 14) and for about two years worked in railroad shops and steel plants.

Parents were reunited in 1919. G. L. C. entered public school and attended regularly until 1923 when he left while in the 8th grade. Since leaving school worked irregularly as auto washer, truck driver and laborer. Principal of school, two social workers and several employers agreed that he had no particular aim in life and needed strict supervision. He was not inclined to tell the truth about his offense.

The father had very little interest in his welfare; while the mother, who was a religious fanatic, was inclined to shield the boy. Both parents were law-abiding citizens but not competent to raise the boy.

Recommendation was against probation because it was an aggravated case of auto stealing; he was untruthful, his attitude in general was not good, his employment references were poor. He had been arrested on a similar charge three years before this new charge, and had been placed on probation in the Juvenile Court. In spite of this unfavorable report our court placed him on probation for a period of two years with instructions to report in person every Friday and to secure steady employment.

During the period of his probation, June 4, 1924 to February 15, 1926, he had 15 different jobs and was idle much of the time. Some jobs he held only two or three days, and on no job did he remain more than six weeks. The Probation Officer assisted him in securing employment on several occasions but he kept none of the jobs.

His attitude at all times was very indifferent. Six months after he was placed on probation he married without consulting the Probation Officer; and a few months later a child was born. He appeared to have no sense of responsibility for the support of his wife and child, being content to live with his parents who were financially unable to assume the additional burden. Later he went to live with his wife's parents who were also unable to assume the additional burden. Frequent complaints were made that he was doing nothing to support his wife and child. He refused to accept one job offered him by the Probation Officer because it was night work and rejected another because it paid 42c an hour and he would not work for less than 50c an hour.

Finally he left his wife because she advised him to take any kind of work he could get. We arrested him and held him in jail for two days. He was then released on condition that he work steadily and support his wife and child. After his release from jail he again assumed an indifferent attitude and his wife's parents were forced to support her and the child. He left his wife and neither she nor his mother knew where he was. He was finally located and he was working in a foundry. When investigation disclosed the fact that he was not employed there he admitted that he was lying.

He was lodged in jail February 13, 1926. After a review of his case his sentence was ordered into execution, probation was revoked and he was committed to the Ohio State Reformatory.

The Probation Officer did everything possible to aid this boy and made at least one visit to his home each month in

addition to interviewing him each week at the office. From the beginning it was apparent that he would not be a successful probationer.

June 14, 1924, C. H., age twenty, single, colored, pleaded guilty to stabbing with intent to wound. Referred to Probation Department for investigation. Investigation disclosed the following:

Born in Atlanta, Ga., December 1, 1903, the second child in a family of five boys; brother twenty-two and brother nineteen steadily employed; brother fifteen and thirteen in school; father a porter in a factory. Attended school in Atlanta to 5th grade. Family came to this city in 1918 because they wanted to better their condition and give the children the advantages of better education which was denied them in the South. Family lived in a respectable residential section; the father was employed for six years in a factory. Environment and home surroundings very good. Excellent employment and character references. Parents were of good character and interested in the welfare of their children. For some time C. H. has been contributing toward their support as the father earns only $15 a week.

Probation was recommended because the prosecuting witness was the aggressor and the defendant was placed in great fear of his life before he drew a pocket knife and stabbed the prosecuting witness. The altercation took place on a crowded street car, the prosecuting witness, who was the conductor, struck defendant with fists and switch iron. Defendant was the only colored man on the car and no assistance was offered him. Feeling that the odds were against him he stabbed the conductor. Defendant bore an excellent reputation for character and employment. The court placed him on probation for a period of two years. Probation period expires June 20, 1926. Results have been satisfactory. He has never missed making his weekly report. From September, 1924, to April, 1926, he has worked from 10 to 14 hours a day. Frequent visits were made to the home at first but it soon became apparent that strict supervision was not required in this case. Then visits were made less frequently and the time thus saved was devoted to some of the less hopeful cases. He is still employed and the family has moved to a home on the outskirts of the city where they enjoy all the comforts of the average working man's home.

This was a hopeful case from the beginning. It can be readily seen that good results can be obtained from colored probationers when the proper care is used in selecting them. The services of trained colored investigators and supervising officers are of great value in these cases.

RURAL PROBATION WORK

Mrs. Mary M. Brown, *Chief Probation Officer, Hattiesburg, Miss.*

Forrest County, Mississippi, of which I am probation officer, is 36 miles long and 12 to 18 miles wide, making a total of 684 square miles in which to work. Hattiesburg is the county seat of this county, with a population of twenty thousand. There are five small towns ranging in population from two hundred to eight hundred and a thickly settled farming populace with eighteen consolidated schools, twelve white and six negro, which gives one probation officer quite a large area to cover. All of these rural communities have been organized into bands of ladies who coöperate in social work and report cases to me. These ladies write letters and keep in touch with any case which may come up. Without these organizations in rural communities the work would be greatly handicapped and it would be impossible for one probation officer to handle all cases in the county. In Hattiesburg all clubs and organizations coöperate in social work and are always ready to contribute money for case work.

Let me tell you about some of our cases:

Mr. C. was found with a whiskey still in his home, convicted and sent to prison. Probation officer visited wife and six small children and was instrumental in having them cared for by charity. The man served his time and came back to the family. They had become so accustomed to assistance from the public that they still expected it. Probation officer's work with this family was varied, as it was very hard to get them to be self-supporting. Mr. C. was assisted in obtaining several positions which he left saying that he was sick. Finally, with the assistance of a brother of Mrs. C., they were moved on a farm in January, 1925. They made a fairly good crop last year and are still on the farm and have given no further trouble.

Mrs. K. brought her boy of twelve years to the probation officer saying she could not control him. He refused to attend school and would absent himself from home for two or three days at a time. Probation officer kept him in school for a time by going with him every morning. The superintendent was very much interested in him, gave him his noon lunch and bought him some clothes. All went well for a while. He became unruly again and ran away; was soon found and sent to an uncle in the country, where he remained until school opened again. He was then placed in school in another part of the city. The session has just closed and the boy has made excellent grades with very good conduct.

Georgia P., a beautiful young girl thirteen years of age, whose father was dead and mother in last stages of tuberculosis, was leaving school each day, going car riding and attending picture shows. She went away one afternoon and did not return; her brother found her in a questionable place about three o'clock in the morning. The next night a fight occurred about the girl in which three boys were involved. Probation officer was called and after gaining the confidence of Georgia, found she would do better in a foster home if one could be found. A home with a good woman was found for her in another city and probation officer has been receiving good reports of her conduct.

Four school boys decided to have some "fun," as they called it, and were stealing from the merchants. They would slip away from school during the noon lunch hour, fill their pockets and return to school. All were sons of well respected parents in comfortable circumstances. They were brought into juvenile court and put on probation to report once a week. They reported regularly for a period of some months and were discharged. This was four years ago, and to-day those boys are making good, one of them being in a medical school. Does probation pay?

Mrs. B.'s husband was killed in an explosion in a mill, leaving her with three small children. She was paid five thousand dollars and made guardian of her children. She began to tread the primrose path and spent her share of the money, then began to spend the children's share. Probation officer brought the case to the attention of the Chancellor, who appointed another guardian and had children put in a good school, where they are being well cared for.

Hazel T. was found living in a wretched hut in the country with a drunken father and a small brother, her mother being dead. Probation officer was sent for and the condition was found pitiable indeed. Hazel was fainting for want of food and there was only straw and rags to sleep on. Hazel and her brother were brought in and provided with warm clothes and a temporary home was found for Hazel. The King's Daughters' attention was called to the case. These good women were so interested that they adopted Hazel as their ward and sent her to a good girls' school. She is a bright, attractive girl and is making a very good record. LeRoy, the brother, was put in a good Christian home and is very happy.

An infant, one week old, was left with an aged lady out in the country by some woman unknown to her. She, poor though she was, cared for it as best she could. When probation officer found the baby four weeks later it was almost dead. Probation officer took the baby, put it in a good foster home, and to-day she is a fine looking baby girl of two years.

Eugene, a boy of eleven years, was staying away from home, sleeping in box cars and any place he could find to curl up and go to sleep. His father and mother seemed to have no control whatever over him. Eugene's eyes were affected; probation officer carried him to eye specialist, had his eyes treated and properly fitted with glasses. He also needed medical treatment which was given him. He was then sent to school in another city. He returned in a few months and has given no further trouble.

There came a call one day that twin babies twenty-five miles out in the country were dying of starvation. When we arrived on the scene, after hard travel through the woods, no road to speak of, both babies were dead. There were nine children in this family, all living in a one-room hut with but three beds piled with pine straw to sleep on and rags for cover. The aid of citizens in the nearest community was called for and clothes, bed clothes and food were supplied. Probation officer visited this family regularly, carrying food and clothes, encouraging the woman to clean up the small hut and put the children in school. The men of the community called on the father of this family and gave him so many days to go to work, which he did. The family afterwards moved on a farm in another county and the work of this probation officer was at an end technically, but she is still interested in them and learns occasionally that they are living some better.

Case after case could be written about that has been dealt with successfully; others need constant special care; then some go astray in spite of all that has been done for them. But the work brings compensation and a great joy to those who ungrudgingly give their services to their fellowman.

THE LAD WHO WOULD NOT WORRY

R. H. Ferris, *Director, Domestic Relations Division, Recorder's Court, Detroit, Mich.*

The case* I am about to present might be called, with apologies to George Ade, "The Fable of the Lad Who Would Not Worry"; for in this case the disinclination to worry, that is, to shoulder responsibilities, was the nub of our problem. The case shows what probationary supervision, based on a careful and reasonably complete pre-probation investigation, can do with a young couple of poor antecedents and with seemingly little foundation to build on; it illustrates the advantage of contacts with other social agencies; and it suggests what may be done in so-called bad cases with a minimum amount of understanding effort.

I. COMPLAINT: NON-SUPPORT

On February 25, 1924, Jane Heller, née Price (23), filed a complaint in Recorder's Court, Detroit, Mich., against her husband, John Heller (23¾), charging him with failure to support

* For obvious reasons, all names of persons, except officers, and some other names are fictitious.

herself and two minor children for the preceding seven months. A warrant was issued for John, and on March 21, 1924, he pleaded guilty to the charge before Judge Thomas M. Cotter. The court remanded him for sentence to March 25, 1924, set bail at $500, one surety, and referred the case to the Domestic Relations Division for an investigation into "the antecedents, character and circumstances of the accused" (Mich. C. L. 1915, sec. 2042), and for a written report to be presented to the court on the day of sentence. John was unable to furnish bail and stayed in the county jail pending the investigation.

II. INVESTIGATION

The investigation of this case was fairly complete, despite the limited time allowed, and included interviews with John and Jane, four social agencies, two factories, and one outside call; but no psychopathic examination was had. I might add that the probation officer who later supervised this family on probation apparently saw no necessity for a psychopathic examination during supervision, and so our record is lacking at this point.

Jane Price was born April 8, 1901, of native stock in Akron, Ohio. Her father, George Price, made a comfortable living as carpenter, but acquired no property, did not drink, attended the Presbyterian church regularly, and was indulgent toward his two daughters. When Jane was fourteen he died, at the age of fifty-two, of a "complication of diseases" and "nervous breakdown". The mother, Clara (née Foster) Price (44), was seventeen years younger than the father, and has always been in good health. She was never severe in discipline toward the daughters, and, according to Jane, the relations of father and mother were always amicable. Jane attended school regularly until fourteen, doing seven grades without repeating.

Evidently Jane's home environment was that of the typical American workingman's home in a small industrial city, with modest luxuries and easy-going indulgence on the part of the parents. But on Price's death the situation changed. Further schooling was out of the question. The mother and two daughters moved to Detroit in 1915 (?), where the maternal grandfather, James Foster, lived. He was an architect, and while the record is silent on this point, it is probable that he was instrumental in establishing the home in Detroit. At any rate, Jane

went to business school for five months and thereafter worked for her living.

A new factor entered into Jane's life at this time. Mrs. Price was still young, only thirty-five, and not having had the full sexual satisfaction from a husband who had been so much older than herself, began associating with another man, Bertram Taylor, who was known to the children as "stepfather". The daughter does not know whether there was a marriage or not; but evidently Taylor had no desire to support the two girls; for both had to go to work, although still living with the mother and "stepfather". How long the liaison with Taylor lasted the record does not show; but at some time a separation took place, presumably by mutual consent and without legal divorce, and "stepfather" Taylor went to Youngstown, Ohio, where he still is, so far as is known.

Later another "stepfather", Felix Daunt, appeared on the scene and was accepted by the daughters as such without question; but the Children's Aid Society which had contact with the family through Jane at about this time, understood from reports that the couple were living together without marriage. Perhaps the appearance of this agency with its continuing interest in Jane and Jane's family, coupled with "Stepfather" Daunt's probable unrest at Jane's growing troubles, induced the "stepfather" and mother to slough off the responsibility for Jane; in any case, the couple left the city in September, 1923, and went to a small Michigan town to live. This was the mother's last contact with Jane.

Thus two factors of considerable moment entered into Jane's life during the impressionable years of adolescence. First and foremost, the easy morals of her home, where one "stepfather" succeeded another with no thought of immorality, constituted an ideal of home which was bound to color Jane's contact with young men. That there was little thought of the immorality of her mother's acts appears in the fact that while Jane continued to go to church fairly regularly (it was a form of recreation for her), she seems to have felt no compunction at continuing to live at home. Secondly, Jane, her education having been broken off abruptly by the necessity of self-support, was thrust into immediate and daily contact with adolescent young men in the easy camaraderie of shop and factory. The interplay of these two factors determined Jane's history.

Some time after finishing her business schooling, Jane worked

as a stock girl in drygoods at $4.50 a week for about a year. By then she was old enough for more responsible work, and for a year and a half was employed by the telephone company at $13 a week. At about the close of the war the opportunity came to better herself by transferring to a large drug concern, Parke, Davis & Co., where for some two years she had employment at $15 a week. Thus to 1921 Jane showed that she was reasonably industrious and ambitious, slowly moving upward in earnings and responsibility.

Then came a sharp change. For the next three years her work was intermittent and limited usually to housework for various families. From the time when her mother left the city in September, 1923, until her appearance in court against John in March, 1924, Jane had room and board free in a married family in return for the care of the family's children. This sudden change in Jane's fortunes may be accounted for by one word, John.

John Heller, "the lad who would not worry", was born August 13, 1900, of native stock in Sturgeon Bay, Wis. His father, Hans Heller, was a bartender, owned no property, and died of "heart trouble" at the age of forty-six. The mother, Hilda Heller (née Fischer), was virtually unknown to John, since she died when John was very young. Apparently Hans lived for some time after Hilda's death; but John has very little recollection of either. Hans seems to have had little interest in his only son, and he probably consented readily enough to John's being taken into the home of his maternal grandparents, the Heinrich Fischers, of Sawyer, Wis.

One would like to know something more of the Hellers, whether Hilda died from overwork and abuse, and whether Hans was a heavy drinker or on his wife's death took to drink and died of alcoholism ("heart trouble"); but the record is silent. At any rate, John was too young when he left his father to have been greatly affected by the circumstances of his father's home.

Heinrich Fischer was a typical German-American farmer, and both he and his wife seem to have been glad to take their daughter's only child to bring up. They were rather good natured to the little grandson, indulging him as fond grandparents will sometimes indulge only children. However, the Fischers were regular church attendants (Catholic) and saw to it that the boy went to school through the seventh grade until the grandmother died in John's fourteenth year (1913).

Here again we have a typical home, but in this case that of a farmer, furnishing the early environment of a growing boy. It is especially worthy of remark that this indulgent American home moulded this lad under the petting fondness of grandparents who were solicitous for the only child of their deceased daughter. There was little occasion for the lad to worry, because, as he might have said, "Grandma always understood".

Perhaps grandpa did not always understand, since John quit school on grandma's death. Heinrich Fischer must have been about sixty-five at that time and expected the lad, who was robust and large for his age, to help on the farm; but John preferred to take his own way, left the farm, and in the fall of 1913 worked as cookee on a government survey boat for a month or so. Then he drifted into Milwaukee, and during the winter and spring worked as a laborer in the Ward & Allen (?) iron works at 20c an hour.

In the summer of 1914 he entered upon the life of the "hobo", but not the "tramp" or "bum" (*vide* Whiting Williams' *Mainsprings of Men,* p. 67); for during the next two years he worked intermittently at various jobs in divers places, landing in Michigan just when the National Guard was recruiting for Mexican border service. On October 6, 1916, he enlisted and saw service on the border and later overseas during the world war. He was honorably discharged in the grade of corporal on February 20, 1919. His army record has nothing outstanding in it, no wounds, no court martial, and no citations, and but one promotion, that to corporal.

On his discharge he came to Detroit, probably because the army paid his transportation back to the place of his enlistment, and immediately entered the employ of the Ford Motor Company, River Rouge plant, as watchman February 25, 1919, at $6 a day. This was an easy job requiring no particular aptitude, but suitable for an ex-soldier. The following October, some seven months later, he quit this job voluntarily, and for a year the record loses sight of him so far as his work is concerned. Evidently the investigator failed to note a gap of a year as a result of John's misstatement of the date, giving 1920 as the year of his employment at the Ford Motor Company.

However, this much we know. Sometime after his return from the army John became a boarder in the home of Jane's mother. Whether through Jane's persuasion or merely to be

near her, in September, 1920, John began to work at Parke, Davis & Co., where Jane was employed, and continued to work steadily there at 60c an hour for nearly three years, quitting without reason given in July, 1923. For the rest of the year he was without employment, partly because of slack work and partly because he was not "feeling well". For the four months preceding his appearance in court, he worked intermittently as truck driver for various employers.

In analyzing his work and army record we find one dominant fact, namely, that the only child's feeling of irresponsibility ("Everything will come out all right") was a definite, if acquired, trait of character. He had no sense of social responsibility, worked casually or hoboed, once for two and a half years as a soldier, which is the ideal hobo's life because Uncle Sam cares for the soldier no matter what happens, and only once stuck to a job for nearly three years. His employers at the drug concern state that he was a steady worker, although he did only fair work. In other words, he was intermittently industrious, but not ambitious, easily quitting one employment or another for no serious reason. In fact, John was "the lad who would not worry".

It is interesting to note in this connection that John's recreational outlets were much the same as those of the "hobo", at least at about the time of his appearance in court. He indulged in an occasional drink, shot craps for small amounts and frequented poolrooms nightly. The free and easy fellowship of the poolroom appealed to his easy-going nature. Also he went to shows about twice a week. These are the recreations of "the lad who would not worry".

These facts about John and Jane raise two questions. First, what is the significance of John's sticking to his job at Parke, Davis & Co., for nearly three years, despite his record of six years' "hoboing" previously? And second, what is the significance of the sudden break in Jane's progressive work record shortly after John came to work at the same factory where she was employed, followed by three years of occasional house or maid's work? The answer to both questions is found in the relations of John and Jane to each other.

It has been already stated that at some time after John's discharge from the army he boarded at Jane's home. John was a healthy, vigorous, careless lad who took his pleasures easily and lightly, including sex, as is shown by the fact of his con-

tracting gonorrhea in 1916 about the time he entered the army. Jane was a healthy, carefree animal (I use the term animal in a good sense); she was pure animal in her attitude toward her instincts and appetites. The atmosphere of her home with its easy succession of "stepfathers" was favorable to this attitude. To her there was nothing wrong in the normal gratification of all her appetites. Just as it was right and pleasant to satisfy such instincts as that of hunger, or play, so without any deep moral reflection she proceeded to satisfy the normal sex instinct. This was made easy in the free camaraderie of factory association and later in the easy friendship with the boarder at home.

Jane had been sexually promiscuous with other lads before she met John, and John, who would not worry, took his pleasures easily as occasion served. Inevitably and naturally, when John and Jane met, they turned to each other and had sex relations regularly at her home. This seems to have been not objectionable to Jane's mother and "stepfather"; for there is no indication that they ever protested or put obstacles in the way of the young people's intimacies. Because of this attachment, John drifted to employment in the same factory where Jane was employed, and although Jane had to leave a few months later because of her pregnancy, John continued to work in the same place, probably because of his continuing attachment to Jane.

There was no serious *arrière-pensée* in this attachment or change of employment; it was just the natural sticking together of two healthy animals in an instinctive way. Apparently no thought of marriage rose to the surface for either of these happy children; they were following merely in the steps of Jane's mother and "stepfathers". The fact of being together was sufficient for them.

As I have intimated, the inevitable happened. In June, 1921, little Edna came on the scene at the Woman's Hospital. Jane frankly admitted that she was not sure of the paternity of the child and rather doubted that John was the father. Jane had left her employment at Parke, Davis & Co., some months previously, and, probably because of her being an unmarried mother, she did not get her job back later, although here again the record is silent. However, John, without knowing whether he was the father of Edna or not, continued to work at Parke, Davis & Co., board at Jane's home, and occasionally turn over part of his pay to Jane for the child.

To John the coming of the child did not mean a responsi-

bility; rather it signified to him that he had attained man's estate. So far as we know no stigma was felt in the home as attaching to Jane or John because of the child. At least neither John nor Jane felt any such stigma, since they continued to live together as before. The probable explanation of this continued living together is to be found in the continuance of sex relations without marital obligation and, on John's side, in the natural pride of his suspicion that he might be the child's father. But as the presence and support of the child might prove to be a responsibility, soon Edna was placed with the Children's Aid Society, and the couple practically washed their hands of it, while Jane turned to housework as a means of personal support.

The situation remained unchanged for about a year and a half, when on January 9, 1923, little Thelma came on the scene. The expectation of this event seems to have ruffled the calm of John's mind; for it contained a portent of that which John had always avoided, worry. So John moved away from Jane's home, but continued to work at Parke, Davis & Co. Jane went to the Florence Crittenton Home for her second confinement and remained there seven months to work out her expenses. Thereafter she returned home to her mother, and while she worked out, her mother looked after the child. When later in September, 1923, the mother left to live in a small Michigan country town, Jane got a position as housekeeper in a private home, where she was able to keep Thelma with her.

However, while she was still at the Crittenton Home, Jane had a bastardy warrant issued against John, and on April 21, 1923, John married her, thus dismissing the warrant. This action against John may seem to be not in character, as we know Jane; for she had taken no such action after the birth of the first child Edna. But the fact is that Jane would not have taken this action except for the pressure on her from the social agencies interested in her two children. As her history shows, Jane was a docile creature, and in this matter did what she was told to do.

Nor does John's marrying Jane seem in keeping with his character; for he was "the lad who would not worry", while marriage was assuming responsibility. But in point of fact John's marrying is truly characteristic, as shown by his explanation that he married Jane to "escape sentence". Here we have

his dominant characteristic, his tendency to dodge worry by the easiest way out, in this instance marriage.

John did not live with Jane after the marriage; for Jane was still at the Crittenton Home working out her expenses. But he did something toward her support until July, 1923, when he quit his job at Parke, Davis & Co. John gives no explanation of this quitting; but if we read between the lines, we may find the explanation in a trait already alluded to, that of an only child petted in youth, namely, the tendency to dodge worry by the easiest way out. Why have the worry of Jane and the child's support, when by quitting his job he would be rid of it all? The procedure of the ostrich, certainly, but understandable; for the ostrich does not worry about what it cannot see.

That John did not worry is evident; for, according to Jane and the Girl's Protective League, John in his carefree way found sexual consolation in another girl, a certain Mary Lavering. An amusing episode in this connection is related by Jane. It appears that John, with a delightful *insouciance* that staggers the imagination, took Jane's wedding ring and gave it to Mary! When later Mary learned that John was married, she returned the ring to Jane. John rather half-heartedly denies this episode; but Jane's story rings true with John's known traits. He was simply "the lad who would not worry".

So much for the investigation. From the facts in hand it would appear that John had a mental age ranging between eleven and thirteen, that is, within the lower limits of average intelligence. The history shows no evidence of mental disease, but clearly indicates a very low sense of social responsibility, about on a par with that of the "hobo" of Whiting Williams' description. Was there anything here on which the probation department could base a favorable prognosis?

One element had made a vague appearance, the faint suggestion of paternal pride after the birth of the first child, too vague, however, to be depended on. Another significant fact appears in his work record, his three years' employment in Parke, Davis & Co., with his employer's statement that he was a steady worker. Evidently he had a capacity for steady work; but this capacity was called into play only during the rather long and pleasant episode of sex attachment to Jane. Could we pin any hope of successful reconstruction on this dormant capacity? Seemingly, the three years of steady work constituted but a by-product of a pleasing interlude in his life of hoboism, and

therefore, should not be considered too seriously. In fact, the director in making his report to the court had serious misgivings on this point. If only we could get "the lad who would not worry" to worry, that is, acquire a sense of social responsibility, there might be a chance. Was the chance worth taking?

And would Jane coöperate? From the facts of her history it would appear that she had a mental age slightly inferior to John's, perhaps, ranging from nine and a half to eleven and a half years, that is to say, somewhat inferior in intelligence, but not definitely defective. She was not feebleminded, despite the rather low tone of her emotional life, which is evidenced by her statement that recently she found her recreation in going to church fairly regularly. She was in a measure pure animal in respect to her instincts; but she had made a good social adjustment of herself industrially until the babies came, and thereafter she showed an interest in housework. Her docility was also a favorable element. While she had no deepset affection for John, the history shows that she had a certain *flair* for a home of her own with a man in it. This was something to build on.

III. PLAN OF TREATMENT

According to the usual practice of the Domestic Relations Division our investigator made a brief analytical summary of his investigation of this case. I shall quote his summary in full, as it may serve to illuminate the history by showing its effect on the mind of a careful and analytic investigator. Mr. Goldberg writes as follows:

"*Impression.*—Man seems to be coöperative, but not frank. Seems untruthful, and his story regarding his reason for non-support seems to be thin. Is not convincing in any of his statements. Gives the impression of letting his obligations go by until he is actually forced to meet them, and then takes the easiest possible way out. This is borne out by the fact of his marriage and his attitude toward support at the present time.

"Woman is clean, frank, and appears to be in good health. Is lax and easy-going in her general attitude. Shows no emotions through the interview, and is undecided as to what course to pursue.

"*Analysis of Work Record.*—Man worked steadily at one place for about three years, but the grade of work was only fair. Before and since then, man has been out of work for long periods and stays a short while at various jobs, thus arous-

ing a suspicion as to whether he may be engaged in anti-social conduct of some sort.

"*Factors in Domestic Situation.*—Man's lack of support and unwillingness to assume family obligations in regard to support seem to be the main difficulties. Woman is naturally easy going and lax in regard to insisting on support from man. It is questionable whether man and woman will ever live together in harmony, since man likes to go out with other women.

"*Recommendation.*—Because of man's attitude and irregular work record, probation does not seem to be indicated. However, the necessity for support of the wife and children makes probation necessary only in an effort to do something with man. It is doubtful whether man will succeed on probation, and he may abscond."

In this summary the investigator has put his finger on certain significant facts, such as John's one period of steady work for three years, John's avoidance of responsibility, and Jane's easy going acceptance of things as they are. There is no concrete plan of treatment outlined other than a hesitant suggestion of probation as the least harmful solution. Further, the investigator seems to consider the keeping of John at steady work as a principal task of probation.

After a careful study and analysis of this investigation, the Director made the following report and recommendation to the judge:

"The defendant is a truck driver for the Dumas Cartage Company at 50c an hour, with whom he has worked for the past few months at irregular intervals.* His work record is extremely irregular, the man having left previous employments without reason. He was in the military service during the war, serving for ten months overseas, and honorably discharged in the rank of corporal. There is no record of previous convictions.

"The couple have been married for one year and have two children, both born before marriage. The couple have not lived together since marriage, and the woman has not seen him since last July. From April to July, 1923, the man contributed money at irregular intervals to his wife, but has given nothing since. The oldest child is with the Children's Aid Society where the man owes a bill of approximately $225. The wife is of rather easy morals, having been intimate with at least one other man prior to marriage, and the man is unreliable in statements and

* This statement is not correct; for it appears from the record that John had worked irregularly as truck driver for several months, but only for about a week with the Dumas Cartage Company.

conduct. According to the Girl's Protective League, the man has been intimate with at least one other girl since marriage, although he denies this.

"In view of the man's work record and the general moral laxity of both the man and woman, there seems little hope of improvement under supervision. Yet, on account of their youth and the need of support of the children, we recommend that if the court find the defendant guilty as charged, he be placed on probation for not less than one year, and required to keep in steady employment and support his children."

On March 25, 1924, Judge Cotter, after reading this report, placed John on probation with the Domestic Relations Division for one year, the terms and conditions of the probation being left to the discretion of the probation department.

The Director had an immediate conference with John and Jane. After assigning the case for supervision to Miss Abbott as probation officer, the Director advised them to establish a home of their own as soon as possible and directed a consultation with Miss Abbott both as to ways and means of establishing a home and as to budgeting income and outgo. Jane and John expressed willingness to coöperate in such a plan. Further, John was advised that until such time as he and Jane resumed living together, he must pay family support through this office, the amount to be determined by his supervising probation officer when he reported to her on his report day. When two days later John reported to his probation officer, she set family support at $10 a week for the support of Jane and Thelma, and left the matter of paying Edna's board bill at the Children's Aid Society in abeyance.

As will be seen, the plan of treatment was somewhat indefinite, but looked toward two results. In the first place, the plan looked toward creating a habit of steady work and support in John, and thus took into consideration the one favorable element in John's history. But secondly, the plan concerned itself with the reëstablishment of the domestic unit in proposing an attempt to create a joint interest on the part of John and Jane in a home of their own with their children, and thus took into consideration John's earlier, if vague, sense of paternal pride and Jane's homeloving instincts.

IV. HISTORY OF SUPERVISION

While I shall omit the main details of supervision and touch on only its outstanding features, it may be well to pause long enough for certain statistics. These statistics will show how

little time could be devoted to this case by a probation officer who supervised two hundred twenty-five (225) families during the year and had as many as one hundred forty-four (144) under supervision at one time. Nevertheless, some constructive results were obtained. This only goes to show that it is not the amount of work, but its quality that counts.

Here are the statistics. John reported at the office twenty-four (24) times during the year, while Jane was in the office twice. The officer made six calls in this year, once at the place of John's residence at the beginning and five times at their joint home. Only twice did any one else come into the office to confer on this case, and the telephone was used just five times. One brief letter was written and three were received. Thus the officer had direct or indirect contact with this case only forty-one (41) times over a period of one year.

In view of this paucity of contacts, it may be asked: "What were the supervising probation officer's objectives and what results were obtained?"

The first question may be answered briefly. The officer's objective was twofold: (a) the establishment of a home with both children in it with the parents; and (b) the arousing in John of such a sense of responsibility for them and Jane as would keep him steadily at suitable work, yielding an income adequate for family support.

One outstanding fact is that John stuck to his trucking job from the start throughout his probation with generally increasing earnings. The incentive for this was, in part, the same as that which held him at Parke, Davis & Co. so long, a rearoused interest in his children. For within two months the probation officer succeeded in getting John and Jane to live together, with Thelma of course. Then John became a householder and took pride in being that.

In this the significant fact is that whenever one succeeded in getting the "lad who would not worry" to worry, he became stabilized. To make John a good citizen all that was necessary was to put on him an unescapable burden, a responsibility that he could not shake off. To pay the family support ordered he had to work, and so he worked. Then to save himself the worry of rooming around and eating anywhere, a home with Jane appeared to be the way out, and the home was established, where he was the man of the family.

Here it became evident that John's sense of responsibility

might wane unless an additional responsibility was placed on him. So after John had become established in a home with Jane and Thelma, the probation officer required him to pay small weekly sums to the Children's Aid Society on the board bill of Edna. This was rather difficult to do since Jane also felt no acute interest in the matter; but at last John through Jane made some payments. At the same time, the probation officer arranged to have Edna returned to Jane and John. Thus, when the freshness of having a home of his own wore off, John had the new experience of care for his older child—a revival of paternal pride—and then as that experience began to lose its freshness, came the new burden of paying back that child's board bill.

In this manner the probation officer was unconsciously training John to take his place as a responsible citizen in society by gradually increasing the load as he showed himself able to bear it.

But what of Jane? Simply this, that Jane was happy. She had her man taking care of her, she had her children, and she had her home. No need to consider the possibility of her experimenting in outside sex adventures now, because her man gave her the normal satisfaction of the healthy animal. And further, in this new experience of a home with husband and children Jane began to sense something of the age-old mystery of the home as something more than a sexual convenience. She became in fact a mother.

Then Jane did the one thing best calculated to cement her man to herself. For in February, 1925, she brought forth a man-child! Immediately John's paternal pride flourished anew; he now had an objective in life, an objective that would not soon pall, namely, the bringing up of his son in his own image. But if that was to be, then he must see to it that the image should be a good image.

At this point the probation officer could relax a bit, and, as a matter of fact, probation ceased shortly thereafter. The probation officer had, thanks to the final coöperation of nature in giving John a son, gradually weaned John away from that *insouciance* which led me to call him "the lad who would not worry", until now John had in some measure what the Methodist brethren call a "realizing sense" of his responsibility to society.

V. RESULTS

It is too soon to speak of permanent results; not enough time has elapsed since our first contact with this group to make an adequate estimate.

Perhaps the best we can say is that one concrete achievement was the integration of an already broken irregular domestic unit into a fairly stable and socially adequate family. Essentially, a change was wrought in John's mental attitude, so that at the end of his probationary year, he took life with a measure of becoming gravity. Also a change was wrought in Jane by her growing out of a purely natural existence into a more human existence with the usual standards and restraints of a normal home. In fact, the supervising probation officer had noted a marked improvement in both, especially since the birth of their son.

But the question still remains, whether the achievement remarked should be credited to probation or whether the changes noted would have taken place without probation. We cannot lightly assume that just because John was on probation, probation was necessarily responsible for the change. All of us know, and some of us will admit, that in many cases the improvement noted would doubtless have taken place, if sentence had been suspended and probationary supervision had not been ordered.

So, in the case of John and Jane, we must raise the question whether the changes and integration noted would have occurred without probationary supervision. Let us examine the facts.

On the one hand, the probation officer had only a relatively few contacts with this couple, and, according to the case history, the only suggestion looking toward the re-establishment of the home was made to both John and Jane at the beginning and repeated to John once or twice since. Apparently, the actual getting together of John and Jane was news to the officer in charge, although shortly thereafter she called at the new home. Thus in a measure, out of the initiative of John and Jane came the integration of the family.

On the other hand, we must not overlook the fact that, at the time of John's appearance in court, the couple had been separated for over a year, that John had shown no interest in Jane or his children for over nine months, and that John was arrested as a result of being decoyed by Jane to her house. John's inevitable reaction to this last was a measure of hostility to Jane. In view of this, it seems unlikely that, if the Judge had suspended sentence, John would have voluntarily returned to Jane. So apparently, probation, by keeping the couple through our probation officer indirectly in contact with each other, created a favorable atmosphere for the gradual drift of John and Jane back to each other.

So much may be credited to probation. But we did not have supervision for a period long enough to insure fixing the changes noted in John and Jane on a securer basis. Nature in giving John a son, by the coöperation of Jane, did more to stabilize this integration than probationary supervision could have done.

VI. COMMENTS

The secret of success in this case lay in the method taken by the probation officer to instil in John a sense of social responsibility by increasing his burdens step by step until nature capped the climax by the gift of a son. The treatment was not cut and dried, laid out all in advance, but was a growth. I cannot say to what extent the probation officer was conscious of this program as the best suited to the individual problem presented; to a great degree the program was an unconscious one, growing through her growing human understanding of John and Jane. The method in fact was the use of common sense and sympathetic understanding.

It might be objected that while we took into consideration John's responsibility to Jane and the children, and Jane's responsibility to John and the children, and succeeded in our task in that respect, we failed to consider our responsibility to society in reuniting a family, one member of which may have been definitely inferior; for by so doing we made it possible for more children to be born who might later prove social misfits. Such an objection has weight and should not be lightly passed over, for the probation department has a general duty toward society as a whole, as well as a duty to the individual probationer.

But, in the present case, the history of both John and Jane shows that if they had not come together under our supervision, they would in all likelihood have later entered into separate liaisons with the probability of more children brought into the world, and children without any home restraining influences. Better one home with some sense of responsibility than two mésalliances! Further, there is nothing to show that Jane was feebleminded, despite my estimate of her mental age as somewhat inferior. On the contrary, her whole history shows a distinct ability to adjust herself satisfactorily to her circumstances.

Consider the alternative for a moment. We might have recommended a sentence for John, and the Judge might have sentenced him to the Detroit House of Correction for sixty-five (65) days, the maximum sentence for non-support, first offense.

Had John been sentenced, three consequences would have followed, one certainly and the other two probably.

For, first, Edna and Thelma would never have had a permanent home with their parents. Then Jane would have drifted into other liaisons, resulting in more illegitimate children, and she would in the end possibly have become a prostitute, since the history shows some indicia of the natural prostitute type. Apparently, the best check to this tendency was having her man with her and her children in her own home. And lastly, John would have tended, after serving his sentence, to drift into hobodom, tramphood and down to plain bummery, or into hobodom and banditry, the end of the poolroom sheik. Also, along with this drift, John would have probably been responsible for other illegitimate children.

Thus, the alternative to the course pursued would have certainly worked ill to the children, and would probably have accelerated the drift of both John and Jane into diverse criminal paths. Probation, directly or indirectly, gave the children a normal home, and acted, if not as a cure to, at least as a check upon the criminal drift of Jane and John. It was because this prospect of the alternative to probation was seen, that we chose the lesser of the probable or possible evils. And, as the history seems to indicate, I believe we chose wisely; for society was less liable to injury from the integrated family than from the probable consequences of turning John and Jane adrift in diverse criminal paths.

SUMMARY OF 1926 LEGISLATION ON PROBATION AND JUVENILE COURTS

FRANCIS H. HILLER, *Field Secretary, Natl. Probation Assn.*

The Legislatures of ten states met in regular sessions in 1926. No legislation on these subjects was adopted in Mississippi, Louisiana, Virginia, South Carolina, Georgia, or Kentucky.

In Massachusetts, in spite of extensive agitation over court procedure particularly as to probation and parole, no legislation was enacted affecting the juvenile court or juvenile probation. Three acts were passed affecting adult probation:

1. An Act denying to the district and municipal courts the power to place on probation, suspend sentence or place on file in the case of a person convicted of a felony who has previously

been convicted of a felony. Mr. Parsons reports that this act will probably not deny probation even in the district courts to any great number of persons, and that since the power to place on probation remains unlimited in the superior courts the new law will probably cause appeals to be taken from the district and municipal courts to the superior courts, in some of the cases affected by the new Act.

2. An Act requiring probation officers to surrender to the court any person on probation who is convicted during the probation period of an offense other than drunkenness. The Act does not take from the court the right to renew or continue the probation, and it would seem only to embody in statutory form a practice which ought to be followed by probation officers even when it is not legally required.

3. An Act requiring courts to avail themselves of the records in the office of the State Commission on Probation before fixing bail and before final disposition of the case, where the defendant is charged with an offense punishable by imprisonment for more than one year. Mr. Parsons reports that this measure simply makes uniform a practice which has already become general on the part of the court of obtaining from the Commission these records, which are being gathered from all of the courts of the state every day.

There was a flood of other proposed measures which, if enacted, would have greatly minimized the use of probation in the courts, but all of them failed of passage.

In New Jersey, Chapter 292 of the Laws of 1926 provides for the pensioning of county probation officers in counties of the first class (Hudson and Essex). The law provides that probation officers shall be retired upon half pay who have reached the age of 60 years and who have served as such for a continuous period of 20 years; or who have served for 20 years and are found to be physically unfit for further service whether they have reached the age of 60 or not; or who have received permanent disabilities by reason of injury, accident or sickness, incurred at any time in the service, which permanently incapacitates them from further duty, regardless of their age or length of service. The law also provides for a similar pension to the widows of county probation officers who lose their lives in the performance of duty; and to the widows of probation officers who die after they have been retired under pension. Provision is made for the creation of a pension fund by a deduction of

3 per cent per annum from the salary of each probation officer, to which is to be added an equal sum annually by the county, also all moneys donated for the purpose of the fund and all rewards which may be paid to probation officers. If this fund proves insufficient the deficiency is to be made up from tax funds.

In New York there was a great deal of agitation regarding probation and parole, but the only law passed affecting probation was Chapter 705 of the Laws of 1926, which prohibits the use of probation in the cases of persons convicted of the commission or the attempted commission of a felony while armed with a deadly weapon. In these cases it is provided that the punishment otherwise prescribed for the felony shall be increased by imprisonment in the state prison for not less than 5 years nor more than 10 years for a first conviction; by not less than 10 nor more than 15 years for a second conviction; by not less than 15 nor more than 25 years for a third conviction; and by life imprisonment or not less than 25 years for a fourth conviction.

Minor amendments were made to the children's court laws of New York State. Chapter 149 of the Laws of 1926 gives police and justices' courts concurrent jurisdiction with the children's courts over truancy cases in the counties of Broome and Chenango, leaving only two counties in the state, Westchester and Cortland, in which the county children's court has exclusive jurisdiction over these cases. Chapter 817 of the Laws of 1926 relates to cases of physically handicapped children, making the provisions for their care more specific and providing for certificates from the State Commissioner of Education stating or approving the educational needs of such children.

Under the reorganization of the departments of the State Government of New York, a Department of Correction is established, headed by a Commissioner of Correction to be appointed by the Governor, and with a Division of Probation. The State Probation Commission is continued and becomes the head of the Division of Probation. The Commission continues to exercise the powers it has had and in addition is authorized to "collect and publish statistical and other information and make recommendations as to the operation of all children's courts and collect reports from all childrens' courts on blanks furnished by the Division." This provision was added at the request of the Probation Commission and will greatly strengthen its work in supervision and encouraging the development of juvenile court work throughout the state.

In Rhode Island acts were passed, proposed by the Children's Laws Commission, creating a Children's Bureau, amending the juvenile court law so as to include jurisdiction of neglected and dependent children and making minor changes in the probation law.

DISCUSSION

MR. HILLER: I should like to refer to some of the more important of the laws passed in Rhode Island. I shall mention first an Act amending the juvenile court law of the state. The principal change made is that the juvenile courts, which in Rhode Island are divisions of the district courts, now have jurisdiction over and care of dependent and neglected children.

The new law leaves the age for delinquent children as "under 16," but raises the age at which the juvenile court may acquire jurisdiction of wayward children to "under 18." This change makes it now possible for cases of delinquency to be brought before the juvenile court up to the age of 18 by classifying them on the petition as wayward rather than as delinquent.

There was also a very important law passed relating to the State Probation Officer. Rhode Island has a unified state probation system. The State Probation Officer, under the new amendment, is required to devote his entire time to his duties. He is authorized to employ an assistant, or assistants, to be known as "probation officers," of whom a sufficient number shall be women, and he is allowed such clerical assistance as may be necessary. He can fix the salaries and the amount appropriated therefor, subject of course to the approval of the Penal and Charitable Commission in which department the State Probation Officer functions. The law also now provides that the State Probation Officer shall receive a salary of not to exceed $4,000 per annum. This marks an important advance in Rhode Island in its probation service.

There is another important Act affecting the juvenile courts. In the State Penal and Charitable Commission there is now established for the first time a Children's Bureau, the duty of which is to promote the enforcement of all laws for the protection of defective, dependent, neglected, delinquent children, and children born out of wedlock. It coöperates to this end with juvenile and other courts and all child-placing agencies. There is to be a director of the Bureau to be appointed by the Commission at a salary of not to exceed $3,000 per annum.

THE TREATMENT OF RUNAWAY CHILDREN

REPORT OF THE COMMITTEE

NANNIE OPPENHEIMER, *Director, Complaint Dept., Juvenile Court, Pittsburgh, Chairman*

Ask Mr. Average Man if there is any danger in having children run away from home, and he will reply, "Oh, let the kids alone. When I was a boy, I ran away a number of times, etc."

the inference being that other runaways would develop into the same perfect specimen of manhood as he, if left alone. However, thoughtful people who deal with runaways, and more and more we must take the girls into account, realize that there are serious problems involved, and that while the motives for running away may be harmless, the results are often demoralizing, and even tragic.

Last year the chairman made an incomplete study of runaways for the National Probation Association. This year a Committee was asked to bring to the Association concrete recommendations for dealing with this troublesome problem.

We restricted the study to "those boys and girls who live outside of the jurisdiction of the juvenile court where they have been apprehended, and who have apparently left home without the knowledge or consent of their parents or guardians."

A number of suggestions were made, not only by members of the Committee but by outside agencies and juvenile courts. These suggestions were submitted by the chairman in writing to each member of the Committee, as it was impossible to hold any meetings. Where there was a difference of opinion which could not be reconciled the recommendations were omitted.

It was decided not to include any case studies of runaways in this report, as no purpose would be accomplished by the presentation. All juvenile courts agree that the runaway is poorly handled not only by their own courts but by all others. The juvenile courts that ignore or refuse to accept their financial and moral obligation to their own runaways, sin against the rights of children. Equally guilty are probation officers and others (let us hope that no judges should be included) who benevolently give the runaway loose change, with directions to the nearest highway; the judges who without investigation, commit them to institutions and agencies, as the easiest method of getting rid of the problem, and the probation officers, who, assuming the obligation of probation, forgets to supervise.

No statistics are included, as juvenile courts have either kept none, or where kept, they are inaccurate or incomplete. Until there is a national agreement as to the definition of "runaway," this is to be expected. The problem in rural districts, owing to limited facilities and other factors, is more difficult than in urban ones. It has been stressed by those familiar with rural districts that to notify public officials and outside agencies of the

runaway's whereabouts, is often detrimental, after the runaway returns home, and that it sometimes reacts harmfully to the family. For these reasons, the Committee has qualified the recommendations concerning rural districts by adding, "when advisable."

No question is asked as often as, "Why do children run away?" and innumerable answers have been given; possibly all of them are correct. One senior at a college stated that statistics proved that most runaways come from inland cities and towns to those bordering oceans; therefore "love of the water was the chief cause!" There may be a few outstanding factors which contribute more than others to the runaway, but until a study is made, no one knows. Probably the runaway's own reasons, even when given in good faith, are not to be accepted, in the vast majority of cases.

One statement repeatedly made by juvenile courts and agencies is of sufficient importance to warrant comment. On the assumption that because it is a juvenile court's or agency's first contact with a runaway, it is a first offense, many do not notify the juvenile court or agency in the city where the runaway resides, unless the runaway is a repeater. As a matter of fact, the runaway may have left home often, may have been arrested a number of times, and may be a ward of the juvenile court, for whom the court is seeking.

The Committee has no desire to present arbitrary recommendations, fully realizing that the individual runaway presents an individual problem and must receive individual treatment. However, there must be a working basis of coöperation between the juvenile courts, public officials, agencies and others throughout the country, standards must be developed, and facts must be known, before better methods of dealing with the problem can be expected.

For the purpose of this study, the Committee agreed upon the definition of runaways as "those boys and girls who live outside of the jurisdiction of the juvenile court where they are apprehended, and who have apparently left home without the knowledge or consent of their parents or guardians." Regarding such we make the following recommendations:

That a national study be made of the problem and that different juvenile courts throughout the country, and agencies, where there are no juvenile courts, be asked to keep a careful

record and social data concerning runaways, and that the National Probation Association prepare a questionnaire for the purpose, and compile results.

That no runaways be returned to any other court or their alleged homes unless jurisdiction is clearly established.

That juvenile courts be asked to make investigations rather than outsiders, before the return of runaways, and that juvenile courts make every effort to investigate promptly and report on cases referred to them. In large communities, where there are no juvenile courts, public officials, or an agency should be asked to make investigations, and in rural districts, outside investigations should be made when advisable.

That in addition to notifying parents, the juvenile court also be notified of the whereabouts of the runaways. In large communities, where there are no juvenile courts, local authorities or agency be notified, and in rural districts, local authorities, or agency be notified when advisable.

That runaways should not be kept away from their own homes and the jurisdiction of their own juvenile courts, unless it is clearly established that it is not to their best interest to be returned. When runaways are not returned, maintenance should be the obligation of parents, guardians or the community where the runaway resides. Return transportation of runaways should be provided by the parents, guardians or community where runaway resides.

That in returning runaways the greatest care should be taken to see that they are properly safeguarded during the trip. The Travelers' Aid Society, police, railroad officials and others should be asked to coöperate.

That juvenile courts enlist the coöperation and interest of local authorities and others in an effort to deal with the problem at its source. Police and railroad officials can help at stations, by referring children who are apparently trying to run away to the Travelers' Aid Society, other agency or the juvenile court. By intelligent questioning many runaways can be stopped before they leave. Where communities employ policewomen they should be assigned to all stations. Runaways should be taken direct to detention rooms of juvenile courts instead of police stations, and when practicable, the first contact with the runaway should be made by juvenile court authorities. Where there are no detention rooms, whenever possible arrangements should be made not to hold runaways in police stations.

That railroads be asked not to sell tickets to children unless accompanied by adults or unless they have credentials. Suspected runaways should be referred by them to the juvenile court, Travelers' Aid Society, other agency or police. Public officials and others should be asked to watch for children "hiking" under suspicious circumstances. A public appeal to motorists, discouraging the indiscriminate transportation of children, is suggested.

That the National Probation Association request the Department of Justice to establish a National Identification Bureau for minors under twenty-one years of age, under the Bureau of Investigation for the acquisition, classification, and preservation of identification records, and their exchange with officials of states, cities and other institutions.

Nannie Oppenheimer, Director, Complaint Dept., Juvenile Court, Pittsburgh, *Chairman.*

Judge George Appell, Children's Court, Westchester Co., White Plains, N. Y.

Fred B. Baxter, Chief Probation Officer, Juvenile Court, Detroit, Mich.

Judge L. B. Day, Juvenile and District Courts, Omaha, Nebraska.

John J. Doyle, Chief Probation Officer, Juvenile Court, St. Paul, Minn.

Beulah Wood Fite, Chief Probation Officer, Memphis, Tenn.

Herbert F. Loepere, Children's Court, Buffalo, N. Y.

O. F. Snedigar, Chief Probation Officer, Juvenile Court, Oakland, Calif.

Mrs. Emma Quinlan, Deputy Chief Probation Officer, Juvenile Court, Chicago, Ill.

RECORDS AND STATISTICS

REPORT OF THE COMMITTEE

FRANK S. DROWN, *Statistician, Municipal Court, Philadelphia, Chairman*

During the past year four meetings of the Committee on Records and Statistics have been held—three devoted to adult records and one to juvenile court statistics. Two of these meetings lasted a day and a half each. Altogether we were in session 22 hours.

The results of these meetings have been: modification of the United States Children's Bureau's first tentative plan for juvenile court statistics; draft of a plan of probation records for adult probationers.

The work of the committee is not intended to propose or suggest record forms for courts in larger cities where their problems

are known and where systems which are perfectly satisfactory are already installed. There are a great many communities in rural districts and small centers that have asked the National Probation Association for help in the drafting of some sort of record form system. The committee is now trying to meet this demand.

Ahead of us lies the need for statistics on adult probation. We must devise a plan for the securing of adult probation statistics similar to that recently developed by the U. S. Children's Bureau. So there is much still to be done.

Any one who may be interested in what the committee has done will find previous reports in the National Probation Association's Proceedings for 1923, 1924 and 1925.

JUVENILE COURT STATISTICS

KATHARINE F. LENROOT, *U. S. Children's Bureau, Washington, D. C.*

If I interpret at all correctly the significance of the papers presented at this conference the scientific era in the social work of the courts is upon us. We have been talking about it for a long time, but I believe that it is here, that we cannot escape it and that, no matter how far distant it may seem to certain communities, scientific standards are being set up and juvenile courts will have to meet these standards or will ultimately have to yield a place which I believe is rightfully theirs.

If we compare for a moment the social service work of the courts and allied fields with the health movement, we can draw some interesting analogies. I never realized until recently that the public health movement was made possible only when a basis of statistical information of facts and figures was secured. If there is going to be anything to equal the information on public health in the social field it must be based upon a foundation of facts and statistics. The public health movement could not undertake what it is doing were it not in a position to point out to the communities definite facts as to tuberculosis, scarlet fever, diphtheria, smallpox, infant mortality, etc., and actual statistics to show what results were being obtained by the methods they were adopting. So we must undertake in the field of social statistics—an infinitely more complicated and more detailed field than that of health statistics—the same kind of fact

gathering, if we are to be successful in the goal toward which we are working.

The Children's Bureau is making a very little start on a very small part of the problem by establishing in its bulletin* a plan for promoting uniformity in statistics of delinquency, dependency and neglect throughout the country. We realize that the courts are dealing with many other problems of fundamental importance. We realize that statistics are urgently needed in other phases of their work but for a beginning we are starting with delinquency, dependency and neglect.

As is the case with all statistics, whether they be health or social statistics, they are the product only of coöperative effort. They cannot be evolved by an individual, no matter how brilliant nor how industrious that individual may be. They can only be obtained through the coöperation of each individual court throughout the country. Just as physicians, though overburdened, found time somehow to make the reports required in the public health field, so I believe that juvenile probation officers, and other officers of our juvenile courts, overburdened though they may be, will find time to give us some minimum basis of information.

We have tried to make our plan as simple and as easy as possible, our aim being to evolve something which would take a minimum amount of time and effort on the part of the court. The basis of the plan is the individual statistical card to be filled out for each case of delinquency and for each case of dependency, or neglect, disposed of during a year.

The Children's Bureau will furnish, free of cost to courts indicating a willingness to coöperate with us, supplies of these cards, if the courts will undertake to send them in to the Bureau at least once a year, or oftener if desired. The Bureau will then tabulate them, getting from them final tables,† to contain information on the number of cases, types of offenses, disposition of cases, numbers of different children as well as cases, race, nativity and parentage of children, parental conditions and whereabouts and some few facts about probation cases. That tabulation will then be sent to each coöperating court.

If we are successful in obtaining coöperation, we shall pub-

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*"Juvenile Court Statistics." U. S. Children's Bureau, Publication No. 159, 1926. May be obtained on application to the Bureau at Washington.

† For form of tables, see Bulletin No. 159. "Juvenile Court Statistics." U. S. Children's Bureau.

lish a summary statement in the form of a bulletin and also prepare popular newspaper and magazine articles, which will attempt to interpret to the public the statistical findings which result from your efforts. In that way we hope gradually to build up a system of annual reporting to the people of the United States, as to trends in the delinquency, dependency and neglect dealt with by the courts.

If courts have a statistical service of their own and wish to make the tables according to the uniform plan outlined so that we can use them in comparing one court with another, we will accept tables instead of statistical cards.

We realize that in order to make this plan successful it is going to be necessary to have some one who can keep in constant touch with the courts, both by personal visit and by correspondence, and who can discuss, on the ground, the various difficulties which will come up in trying to adapt this uniform plan to the very varied record systems which now exist. A member of our staff is therefore starting out to visit a number of courts to try to enlist their coöperation in this plan. She will be devoting full time for as long a period as is necessary and as much time after that as necessary, to make the plan as much of a success as possible.

The subject is too complicated to expect our plan to be anything but tentative and faulty at first but we hope it will be a basis which can be improved and worked upon and which, after study, will be found worthy of coöperation and of united effort in this very important field.

DISCUSSION

President Platt: The value of statistical information has been emphasized in the recent efforts of the National Crime Commission to study the crime situation. As you know, the National Crime Commission, as originally organized, was a body of heavy executives who were accustomed to have the agenda of the meeting laid on the table before them for their decision as to the issue. They approached the crime situation in the very same way. They condescended to give a portion of their valuable time to deciding this crime problem.

They asked for information and there was none available. Witness after witness came before the commission, but presented merely opinions. At first that was acceptable, but then they gradually came to realize that they were getting merely

opinion and prejudice and they could almost discount the testimony before it began. They began to ask for exact information. There was none available.

They then conceived the notion of writing to the governors of states, requesting information regarding the crime statistics of each state. One of the first states they wrote to was Massachusetts, thinking that that state was especially well ordered and that the matter might be started there. The governor referred the matter to someone else. That person came to New York and found that it would cost about $100,000 and would take about five or six years to gather the information.

That group of heavy executives has become a very humble group, seeking information. That information is not available simply because of the absolute lack not only of records but of uniformity of methods for obtaining records in our courts. Counties in the same state even will differ in their methods. There is no exact definition of terms or of names of crimes.

If we would know with what we are dealing we must have exact information. The matter of definition, which seems to be the most difficult, must be taken up in this connection because terms do vary so in meaning.

Dr. Hoffman's figures upon which so much of the whole crime interest has been based, are most carelessly evolved and seem to me to be worth really nothing, as his comparisons are drawn often from incomparable data. For example, he contrasts murder cases in London with homicide cases in American cities, including all degrees of murder, manslaughter and involuntary manslaughter. Sometimes, apparently, he even takes accidental death. He classes that in and contrasts the total with murder in other cities, very much to the advantage of the city where the definition is exact.

The matter of definition is a very great problem. The necessity for attention to it is very evident at the present time. Miss Lenroot, has the matter of definition been taken up?

Miss Lenroot: Yes. We have tried to work out detailed definitions of the items which are included in our forms. It is a very difficult matter, as all know, because the matter of definition varies so much that sometimes it practically is determined by statutory provision, at other times by custom and still other times by usage.

That is a difficulty that we have to face. We can't expect perfection in this field for a long time to come. It must be a

gradual growth. The Children's Bureau hopes through its field representative to obtain information from the courts visited, which will be as many as possible, as to actual policies and methods and to conduct a sort of clearing house as this information is obtained.

For instance, if a court writes in and asks what we mean by a certain item we shall try to answer them. The question they ask may be one that we haven't fully considered. We shall then give it careful study and write to many other courts, and finally come to a decision and then notify all the coöperating courts as to the decision which has been reached and invite them to criticize if they don't agree. Thus gradually we shall build up more uniformity in these reports.

STATE AND LOCAL PROBATION ASSOCIATIONS

REPORT OF THE COMMITTEE

ANNE E. O'BRIEN, *Chief Probation Officer, Juvenile Court, Hartford, Chairman*

There are thirteen active state probation associations now organized in as many states. Several others are organized but not yet active, or have become inactive. Of the active associations I have gleaned the following information:

The *Arkansas State Probation Association* meets once a year and has recently held its annual meeting in Little Rock. Through its president the Association stresses its need of assistance from the National Association because of its ambition to build the best possible juvenile court service for Arkansas.

The *California Probation Association* held its last meeting on May 14th in connection with the State Conference of Social Work. Because of the great distances to be travelled in this state, regional meetings of probation officers preliminary to the annual meeting in May were conducted during the month of March in the Northern and Southern parts of the state.

The *Connecticut Probation Association* meets quarterly, its last meeting having been held in May in connection with the State Conference of Social Work.

The *Florida Probation Association* meets as a part of the Conference of Social Work. This year the President of the State Conference happened to be the juvenile judge of Orlando. Naturally he introduced the subject of delinquency and its prevention for discussion in the general conference. The entire social conference might have been a meeting of probation officers, it resembled probation meetings so closely.

The *Illinois Probation Officers' Association* is a very active one, its

last midyear meeting covering two days, May 5th and 6th. It has been an organization member of the National Probation Association since 1924.

The *Indiana Probation Association* has now adopted a permanent constitution and by-laws. It meets semi-annually. Last year it secured the passage of a law increasing the compensation of probation officers, and coöperated in preventing discontinuance of the state probation department.

The *Iowa Probation Officers' Association* meets annually with the State Conference of Social Workers. Their next meeting will be in September, of 1926.

The *Kansas Probation Association* was organized in 1921 and meets annually.

The *Maryland Probation Association* organized in November, 1922, holding enthusiastic meetings monthly for the first two years of its existence. There has been no meeting for over a year, the enthusiasm apparently having died out.

The *Massachusetts Probation Officers' Association* meets annually. It has been an organization member of the National Association since 1924.

In *Michigan* there is as yet no formal state association. There is a state committee appointed to survey probation, this committee having been authorized by the State Conference of Social Work. A section meeting of the State Conference is devoted to probation subjects and it looks as though in the not far distant future an association of probation workers would be organized.

The *Minnesota Probation Association's* meetings are held annually, in connection with the State Conference of Social Work.

The *New Jersey Probation and Parole Officers' Association,* the oldest State Association, has become very active recently and is now holding monthly meetings. At the last session of the New Jersey legislature a retirement bill for probation officers, sponsored by the New Jersey Association was enacted. In March the probation officers of Hudson County, New Jersey, formed a local association.

The *Ohio Probation Association,* organized in October, 1923, holds annual conferences in connection with the Ohio Welfare Conference. There is always a good attendance, with excellent speakers, at these annual meetings.

The *Pennsylvania Probation Association* had its last meeting in February, 1926, in connection with the State Conference of Social Work. This Association has been an organization member of the National Association since 1924.

The *Tennessee Probation Association* was reorganized in April, 1925, and meets annually in connection with the State Conference of Social Work. Its last meeting was at Jackson in May and offered a good program with an enthusiastic attendance.

The *Virginia Probation Association* was organized in September of last year. It meets annually.

It is evident from this rather meager information regarding the activities of the various state associations that some possible form of closer coöperation between the state and national

groups should be developed and that the organization of state associations should be extended.

To this end and in order to stimulate a more intensive form of coöperation, the plan was conceived of asking the Board of Directors of the National Association to authorize the establishment of a Council of State Representatives, each state association to be asked to appoint one member to this Council. Such council should serve as an advisory body in the National Association in the matter of the development of state organizations, as well as in regard to other state and local problems. The Council, it is felt, could well consider such important matters as interrelationships between state and national associations, between probation associations and state conferences of social work, and questions of membership, both state and national. Policies could be formulated and programs worked up that would make the Council a very real and live arm of the national organization.

The Board of Directors of the National Association authorized the establishment of this Council at its meeting in April. As at present outlined it is proposed that the personnel of this Council of State Representatives be made up of delegates, selected by state election or appointment from state associations, to serve for the period of one year; from states where there does not at present exist a state association, the President of the National Association shall appoint some one temporarily to represent the state until an association is formed in that state.

Inasmuch as these delegates are to serve for the period of one year, it is thought that there should be at least one meeting of this council of state representatives during the National Conference and possibly the members should be invited to attend one meeting of the Board of Directors of the national organization in New York City during the year.

A letter has been sent to the presidents of the state probation associations asking them to present this whole matter to their associations and secure the appointment of their representative to this Council. At the present writing replies from all of the associations have not been received but at least a start has been made which we hope is the beginning of something really constructive.

MINUTES

Annual Business Meeting of the Members of the Association Held in Connection with the Twentieth Annual Conference, Cleveland, Ohio, May 26, 1926

Presiding: Dr. Charles Platt, President of the Association.

About two hundred members of the Association were present.

A report on legislation enacted during the last year was presented by the Field Secretary, Mr. Hiller.

The Annual Report of the Board of Directors and of the Treasurer was presented by the General Secretary.

Mrs. W. L. Murdock, Chairman of the Committee on Resolutions, presented the report of the Committee. The members of the Committee besides Mrs. Murdock were: Miss Beulah Wood Fite, Herbert C. Parsons, Judge Fred R. Morgan, John J. Doyle, William F. Lynch. The resolutions adopted, each of which was presented separately and discussed, follow these minutes.

Albert J. Sargent, Chairman of the Committee on Nominations, presented the Report of the Committee, the members of which, besides Mr. Sargent, were: Miss Emma O. Lundberg, Judge Charles W. Hoffman, Howard R. Hush and Miss Minnie J. Conrad.

Dr. Charles Platt was unanimously reëlected President of the Association, for the ensuing year.

Judge Mary M. Bartelme was reëlected Vice-President.

The following members of the Board were reëlected for four years: Mrs. W. F. Dummer, Judge Edwin L. Garvin, Judge Charles W. Hoffman and Miss Emma O. Lundberg. Dr. Thomas W. Salmon was reëlected to fill a vacancy on the Board for one year.

The following new members were elected for four years: Mr. Bernard Flexner, Judge W. Bruce Cobb and Miss Mabel Brown Ellis, all of New York. Miss Edith Whitney Shaw was elected to fill a vacancy on the Board for three years.

The meeting adjourned.

Respectfully submitted,
CHARLES L. CHUTE, *General Secretary.*

RESOLUTIONS ADOPTED BY THE NATIONAL PROBATION ASSOCIATION, MAY 26, 1926

RESOLVED: That the thanks of this Association be extended to the City Manager and the public officials of the City of Cleveland, to the Chamber of Commerce, to the press, to the management of the Hotel Statler, to the speakers of the various sections, and to all organizations and individuals, both public and private, who have contributed so well to the success of the Conference. We wish particularly to thank Judge George S. Addams, Mr. J. P. Kirby and Mr. T. L. Lewis, whose untiring efforts have been devoted to our welfare and to making this Conference so successful.

RESOLVED: That this Association endorses the plan for uniform blanks as prepared by the Committee on Records and Statistics and recommends their use by probation officers.

RESOLVED: That this Association endorses the proposed plan of the United States Children's Bureau for the nation-wide collection and publication of annual, comparative statistics of juvenile delinquency, dependency and neglect and urges the hearty coöperation of all juvenile courts, judges and probation officers in this movement to obtain adequate statistical information indicating the extent and nature of these problems.

RESOLVED: That this Association endorses the work of the Committee on Domestic Relations Courts and recommends the continuance of the Committee with power to add to its number and to appoint an executive committee of its own.

RESOLVED: That this Association endorses the work of the Committee on Runaway Children and recommends its continuation.

RESOLVED: That this Association endorses the work of the Committee on State and Local Probation Associations and recommends the adoption of the plan offered by the Committee for the establishment of a National Council which shall be made an integral part of the National Probation Association.

RESOLVED: That while the Association takes satisfaction in the increase of the number of women probation officers, it recognizes that this advance is only too moderate and strongly urges that the cases of women and girls on probation should always be in charge of women officers.

RESOLVED: That the Association record its recognition of the sustained service through many years of John J. Gascoyne, one of its founders, a past president and continuously a director through all its years, and its deep sense of loss through his death.

NATIONAL PROBATION ASSOCIATION, Inc.

BY-LAWS

Adopted May 31, 1919. Amended April 14, 1920, June 21, 1921, June 22, 1922, June 9, 1925

ARTICLE I—NAME

The corporate name of this organization shall be the National Probation Association, Incorporated.

ARTICLE II—OBJECTS

The objects of this Association are:

To study and standardize methods of probation and parole work, both juvenile and adult, by conferences, field investigation and research;

To extend and develop the probation system by legislation, the publication and distribution of literature, and in other ways;

To promote the establishment and development of juvenile courts, domestic relations or family courts and other specialized courts using probation;

To cooperate so far as possible with all movements promoting the scientific and humane treatment of delinquency and its prevention.

ARTICLE III—MEMBERSHIP

The membership of the Association shall consist of persons and organizations who apply for membership and are accepted by the Board of Directors and who pay dues annually. Members shall be classified as active members, contributing members, supporting members, sustaining members, patrons, life members, and organization members. Active members shall be those who pay dues of $2.00 or more a year; except that when arrangements are made for the affiliation of all the members of a state or local association of probation officers, paying joint dues in the local and national association the Board of Directors may authorize a reduction of dues for active membership. Contributing members shall be those who contribute $5.00 or more annually to the Association. Supporting members shall be those who contribute $10.00 or more annually to the Association. Sustaining members shall be those who contribute $25.00 or more annually to the Association. Patrons shall be those who contribute $100.00 or more during a single calendar year. Life members shall be those who contribute $1000.00 or more to the Association. Organization members shall consist of organizations, courts or institutions which shall contribute $10.00 or more annually to the Association. Members who fail to pay their dues after reasonable notice in writing by the Treasurer or General Secretary shall thereupon cease to be members.

ARTICLE IV—OFFICERS

The officers of the Association shall consist of a President, Vice-President, General Secretary, Treasurer and Board of Directors. The President and Vice-President shall be elected by ballot at the annual meeting of the Association. They shall serve one year and until their successors are elected. The General Secretary and Treasurer shall be elected by the Board of Directors and shall serve during its pleasure. The Board may elect honorary vice-presidents in its discretion who shall serve during its pleasure.

ARTICLE V—DUTIES OF THE OFFICERS

The President shall act as Chairman at all business meetings of the Association. In the absence of the President, the Vice-President shall so act. The General Secretary shall be the chief executive officer of the Association. The treasurer shall have charge of the finances of the Association and shall report thereon to the Board of Directors.

ARTICLE VI—BOARD OF DIRECTORS

The Board of Directors shall consist of twenty-eight members so elected that the terms of seven shall expire each year. At each annual meeting of the Association seven directors shall be elected by ballot. The Board shall elect its Chairman annually. The Board may fill a vacancy occurring among the officers or the Board of Directors until the next annual meeting of the Association, at which time a successor shall be duly elected for the unexpired term.

ARTICLE VII—DUTIES OF DIRECTORS

The Board of Directors shall have general direction of the work of the Association and shall administer the funds of the Association. It shall report to the Association at the annual meeting and at such other times as the Association may require.

ARTICLE VIII—EXECUTIVE COMMITTEE

There shall be an Executive Committee consisting of seven members of the Board of Directors. Such Committee shall consist of the Chairman of the Board who shall act as Chairman of the Committee, and six members of the Board to be appointed by the Chairman annually. Such Committee shall have the powers and perform the duties of the Board of Directors between its meetings, subject to the approval of the Board. Three members shall constitute a quorum.

ARTICLE IX—OTHER COMMITTEES

A Nominating Committee consisting of five members of the Association shall be appointed by the President each year to nominate the officers to be elected by the Association. Such standing and special committees as may be authorized by the Association or the Board of Directors shall be appointed by the President.

ARTICLE X—MEETINGS

The annual meeting of the Association shall be held on the third Tuesday in May or on such day as may be determined by the Directors. Special meetings may be held as determined by the Directors. Ten members shall constitute a quorum. Meetings of the Board of Directors shall be held as it may determine. Seven members shall constitute a quorum of the Board.

ARTICLE XI—AMENDMENTS

These by-laws may be amended by a two-thirds vote of the members of the Association present at the annual meeting, subject to the approval of the Board of Directors.